Zoning Regulations of the Town of Redding Connecticut

Statutory zoning authority was adopted for the Town of Redding, and a Zoning Commission established as provided by law, at a Town Meeting held May 26, 1950. The original Zoning Regulations became effective June 30, 1950. The present, completely revised Zoning Regulations became effective February 1, 1986. Amendments and corrections are incorporated into text up to August 18, 2020.

Zoning Commission, Redding, Connecticut

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Article I

AUTHORITY

1.1 Regulations Adopted

Pursuant to the General Statutes of Connecticut, Chapter 124 (as amended), and all judicial delegations of authority now and hereafter made, the following regulations are hereby adopted as the amended Zoning Regulations of the Town of Redding.

1.2 Commission Responsibility

The Redding Zoning Commission is the legally constituted zoning authority of the Town. The Zoning Commission shall exercise the powers and responsibilities conferred on it by law, except where specified powers are delegated to others by these Regulations.

Article II

STATEMENT OF PURPOSE

In accordance with the Connecticut General Statutes, Chapter 124, the following purposes govern these regulations:

2.1 To preserve the predominant residential, rural and agrarian characteristics of the Town of Redding, and to protect the health, safety and general welfare of its inhabitants;

2.2 To guide the growth and development of the Town in accordance with a comprehensive plan designed to promote the most appropriate use of the land and most beneficial locations for residential, commercial, public facility, conservation and other needs of the community, especially as recommended in the adopted Town Plan of Development;

2.3 To provide adequate light, air and privacy for all sites;

2.4 To prevent the overcrowding of land, and to avoid undue concentration of population;

2.5 To secure safety from fire, panic, flood, erosion, air pollution, water pollution, and other dangers;

2.6 To conserve the value of land and buildings throughout the Town and the various Zones established therein;

2.7 To protect the character and economic stability of the Town, by assuring that development is commensurate with available roads and other public facilities, and with the capacity of the land to support safe water supply and sewage disposal;

2.8 To bring all land and buildings to eventual conformity with these regulations, and to minimize future conflicts among the various uses of land and buildings;

2.9 To promote the orderly and economic development of the community by lessening traffic congestion, by controlling nuisances, and by encouraging energy-efficient and soundly-planned public and private facilities;

2.10 To prevent contamination of groundwater and of surface water, including all streams, ponds, wetlands, aquifers, floodplains, well fields and water supply sources, and to control the erosion and siltation of water courses;

2.11 To conserve and protect the Town's natural and cultural resources including: historic structures and sites; areas of scenic beauty, recreational potential, and major ecological significance; and basic resources such as soil, water, atmosphere, vegetation and wildlife; in recognition of the indispensable contribution of each of these resources to a livable environment of the community.

2.12 To permit the adaptive re-use and redevelopment of central Georgetown for multiple use(s) and multi-family housing commensurate with the adequacy of roads and utilities to support such re-uses(s) and redevelopment.

Article III

GENERAL PROVISIONS

The following Sections, (3.1 through 3.14 inclusive) apply to all zones, uses and structures within the Town of Redding.

3.1 Conformance to Regulations Required

No use of land, buildings or structures within the Town of Redding shall be made, and no construction, reconstruction, alteration or enlargement of any building or structure shall be undertaken, unless in conformity with all requirements of these regulations; except, however, as provided for nonconforming sites and uses and for variances (see Sections 5.12 and 6.6).

3.2 Regulations Control All Uses

These regulations apply to every building, structure, site and use within the Town of Redding.

In the event of any conflict between the requirements of these regulations and any other legally constituted ordinance, by-law, or regulation, the more restrictive provision shall apply.

These regulations shall not annul or abrogate the provisions of any validly established private covenant, deed restriction or easement; except that where such private agreement imposes lesser restrictions the provisions of these regulations shall prevail.

3.3 Uses Not Permitted Are Prohibited

Only those uses specifically identified as “Permitted Principal Uses,” “Permitted Accessory Uses,” and “Permitted Special Uses” shall be permissible in their respective zones (see Article IV). All other uses are hereby expressly prohibited.

3.4 Noxious Activities Prohibited

Any activity or use which is found to be noxious, or injurious to nearby residents or to the community, shall not be deemed to be a permissible use and is hereby prohibited (see, also, Section 5.3). Such noxious activities include, but are not limited to, the following: manufacture of explosives, chemicals, asphalt, fertilizer, petroleum distillates, creosote, paints, lacquer, plastics, resins, soap, detergents, solvents, alcoholic beverages (except beer and wine), pesticides, rubber products, asbestos products, adhesives, and the like; smelting or refining of raw materials; fabrication of heavy industrial products; junk yards and refuse dumps (except the Town of Redding Transfer Station); bulk storage of gasoline, naptha, liquefied petroleum gas, or toxic, radioactive or highly corrosive chemicals; and the following activities: bowling alleys, pool or billiard parlors, electronic game parlors, kennels, circuses, amusement parks, race tracks, loudspeakers, sound amplifiers, and dish antennas for signal redistribution.

3.5 Zone Boundaries

The specific boundaries and extent of the various zoning districts ("Zones," see Section 4.1) are defined by the official Zoning Map: Redding, Connecticut.

The said Zoning Map, as adopted and amended by the Commission, is hereby incorporated by reference.

Zone boundary lines follow Town Boundaries, lot lines, street lines, the centerlines of public rights-of-way (such as roads, railroads, and utility lines), or are parallel or perpendicular thereto, except as otherwise indicated or fixed by dimensions on the Zoning Map.

If the zone classification of any water area, public land, or other area is in doubt, the same area shall be deemed to lie wholly in the most restrictive adjoining zone. If a lot is divided by a zone boundary, regulations for the less restricted portion of the lot shall not be applied to any portion of the lot which lies in a more restricted zone. Where uncertainty exists as to the precise location of any zone boundary, its location shall be determined by the Zoning Commission.

3.6 Basic Standards Governing Lots

Every building and principal use shall be located on a lot (see Definitions, Sections 8.1.130 and 8.1.172).

Every building shall be capable of safe, legal access from a public road or street. When developed, the lot shall be provided with a driveway adequate for use by emergency vehicles such as fire apparatus, police and rescue vehicles.

No structure housing a principal use shall be located on any part of a lot which lies outside the prescribed minimum rectangle (see Section 3.14, 4.6 and 8.1.148). Within residential zones, there shall be not more than one principal use, along with its permitted accessory uses and buildings, on each lot.

Every lot created, or revised with respect to area or boundaries, on or subsequent to September 2, 1988, shall be accurately mapped by a survey certified "substantially correct" in accordance with "Class A-2" survey criteria of the Connecticut Association of Land Surveyors. Any new or revised lot shall be verified by the Zoning Enforcement Officer for compliance with the Zoning Regulations; such verification to be noted on the survey map prior to filing. A new or revised lot shall not become legal or effective under these Regulations until the requisite survey map has been recorded in the Redding Town Land Records.

A rear lot, where permitted by these regulations, shall include an accessway in the same ownership as the lot it serves. Such accessway shall have a continuous width, measured directly from sideline to sideline, which is not less than the required minimum lot frontage, and shall also be suitable for use as a driveway (see Sections 3.8 and 8.1.185).

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3.6 Basic Standards Governing Lots - continued

The following portions of a lot shall not be included in determining the minimum area of the lot as specified by these Regulations (see Section 4.6):

(a) Road or street right-of-way.

(b) Any combination of the following types of land, in excess of 25 percent of the requisite minimum lot area: land under water or subject to annual flooding, regulated wetland, and land reserved for specific use by others (such as utility line easements and driveway rights-of-way). Negative easements and easements limited to slope, drainage, sightline or conservation purposes, however, may be fully counted toward minimum lot area (see Section 8.1.50).

(c) Any narrow portion of a lot, where the distance between the separate lot lines is less than half (50 percent) the required minimum width, excluding, however, corners formed by intersecting lot lines.

3.7 Accessory Uses and Structures

Accessory uses are limited to those specifically permitted by these Regulations (see Sections 4.2 through 4.5 inclusive, and 8.1.10, 8.1.12). Permits and approvals shall be required as for principal uses.

Each accessory use, building and structure shall be located on the same lot as the principal use or structure which it serves (for shared parking exception, see Section 5.6.6).

Accessory buildings and structures shall meet all setback, height, coverage, inner court, and impervious area requirements as specified by the "Schedule of Requirements" (see Section 4.6) hereof, except as otherwise provided by Sections 3.9 through 3.13.

Accessory uses shall be subject to the same standards of environmental compatibility as permitted principal uses (see Section 5.3).

3.8 Driveways, Parking Facility Driveways, Satellite Parking Facility Driveways, and Storage of Vehicles and Equipment

Within Residential Zones (R-4, R-2, R-1, R-½, RV) the following regulations apply:

(a) Except where a driveway is shared with another lot, lies within an accessway less than thirty (30) feet in width or is part of a parking facility, a driveway (see Section 8.1.44) shall observe a setback of not less than ten (10) feet from all side and rear lot lines.

If a driveway is shared with another lot, or lies within an accessway less than thirty (30) feet in width, there are no setback requirements.

A parking facility driveway shall meet the parking setback (except front lot line) specified by Section 5.6.4. A satellite parking facility driveway shall meet the parking setbacks specified by Section 5.6.4.

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3.8 <u>Driveways, Parking Facility Driveways, Satellite Parking Facility Driveways, and Storage of Vehicles and Equipment</u> - continued

(b) Each driveway serving a dwelling or its permitted accessory uses shall meet the following standards:
- minimum width of travelway: 10 feet; except 15 feet where also serving an accessory office use.
- maximum gradient (slope): first 20 feet back from travelway of frontage road, 5 percent; remainder, 12 percent (except 12-15 percent where approved in subdivision).
- surface treatment: must be paved first 20 feet back from travelway of frontage road.
- minimum sight-line distance, at 15 feet back from travelway of frontage road: 250 feet to approaching vehicles on road.

(c) Each Parking Facility Driveway shall meet the following standards:
- width: 20-24 feet, at the Commission's discretion, based upon the frequency of use, topography of the land, and features of the driveway. A parking facility driveway serving a parking facility of fewer than 20 cars may have a minimum width of 14 feet after meeting the above requirement for the first 20 feet from the travelway.
- Maximum gradient (slope): first 20 feet back from travelway of frontage road, 5 percent; remainder, 12 percent.
- Surface treatment: as indicated in Section 5.6.5 (d).
- minimum sight-line distance at 15 feet back from travelway of frontage road: 250 feet to approaching vehicles on road.

(d) Each Satellite Parking Facility Driveway shall meet the following standards:
- width: 12-20 feet, at the Commission's discretion, based upon the frequency of use, topography of the land and features of the driveway.
- maximum gradient (slope): 12 percent.
- surface treatment: as indicated in Section 5.6.5 (d).

(e) Commercial vehicles and construction equipment shall not be stored on any lot in a residential zone unless storage is clearly incidental to a permitted use thereon and fully enclosed within a garage. During the course of a permitted construction project only, necessary construction equipment may be temporarily stored within the specified building setback lines on the site of the work while actively engaged in such work (see definition of "Commercial Vehicles," Section 8.1.33.)

(f) Recreational vehicles (see Definitions, Section 8.1.190), owned and regularly used by residents of the premises, may be stored on the premises provided such vehicle locations comply with all building setbacks specified in Section 4.6 and said vehicles are either garaged or screened from off-premises view. No trailer or other vehicle shall be used for residential, commercial, office or storage purposes while parked on a residential lot or in any driveway adjacent to a residential lot.

3.9 Walls, Fences, Terraces, Pools and Courts

Within all Zones, the following requirements govern the designated types of structure:

(a) Walls and fences located within required yards, or specified setback areas, are limited to a maximum height of six (6) feet above grade however the fence poles may be a maximum of eight (8) feet above grade and the resultant space above the six (6) foot fence may contain only a maximum of four (4) horizontal unobtrusive single strand wires. In reviewing a site plan, however, the Commission may require installation and maintenance of a higher fence or wall wherever it determines such to be necessary to protect an adjoining residential area.

(b) Paved terraces, if unroofed, may extend into required yard space to one-half the specified yard depth or setback requirement.

(C) Swimming pools, tennis courts and other constructed recreation courts shall observe the same setback requirements specified for buildings and structures.

3.10 Inner Courts

An "inner court" is an area which is open to the sky but lies between opposite walls of buildings or between opposite walls of other structures at least twelve (12) feet in height within the same site. Inner court dimensions are measured on a horizontal plane, perpendicular to each building face or opposing wall.

To preserve adequate sunlight and air circulation, and prevent overcrowding of sites, the following minimum dimensions shall be maintained across all inner courts except those adjoining single-family dwellings and their accessory structures:

(a)	Residential R-4, R-2 Zones:	Minimum	50 feet.
(b)	Residential R-1 Zone:	Minimum	40 feet.
(c)	Residential R-½, R-V Zones:	Minimum	30 feet.
(d)	Business NB, SB Zones:	Minimum	25 feet.
(e)	Business BC Zone:	Minimum	15 feet.
(f)	Office and Research OR Zone:	Minimum	50 feet.

3.11 Projecting Features of Buildings

(a) Projections in to Required Setback Areas:

(1) Cornices, eaves, entrance canopies and roofline projections may extend into any required yard by not more than thirty-six (36) inches, provided there is no encroachment on required yards by supporting walls or columns.

(2) Fire escapes, chimneys, unenclosed entrance porticoes, window awnings, planters, and essential utility features such as meter boxes and cooling equipment may extend into any required yard by not more than thirty-six (36) inches, provided the aggregate length of such features does not exceed 25% of the length of the adjoining wall of the building.

(3) No porch, carport, bay window, garage, or other enclosed or occupied building space, however, may extend into a required yard. (See definitions of "Building", Section 8.1.26 and "Yard", Section 8.1.290).

(b) Projections across a Building Line where such line is designated by the Town along the edge of the Public Way:

(1) General Provisions: Where building construction is permitted out to a Building Line designated by the Town at the edge of a Public Way, the primary finished surface of the building facade shall be situated at or behind the Building Line, but minor building projections are to be permitted beyond the Building Line within limits as set forth herein.

For the purpose of regulating such Building Projections at the Building Line, the extent of any projection shall be measured as the perpendicular distance from the Building Line to the outermost point of the projection. Where the sidewalk width is germane to the regulation of any such projection, that width shall be measured perpendicular from the Building Line to the outermost edge of the curbing. If the sidewalk width varies, a width shall be established as a weighted average or at the discretion of the Zoning Commission.

(2) Projections Below Grade: No vaults, areaways, or other openings or enclosed spaces shall be permitted as projections beyond the Building Line.

A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the Building Line, except that the footings of street walls or their supports which are located at least 4 feet below grade shall not project more than 12 inches beyond the Building Line.

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3.11 <u>Projecting Features of Buildings</u> – continued

(b) Projections across a Building Line where such line is designated by the Town along the edge of the Public Way - continued:

(3) Architectural Features as Building Projections: For the purpose of regulating Architectural Features as Building Projections at the Building Line, such features are to include:

- Columns or Pilasters including bases and moldings;
- Belt Courses, Lintels, Sills, Architraves, Pediments, and other decorative trim related to the Building facade;
- Projecting Windows, Balconies, Railings, and other permanently-constructed architectural features;
- Mechanical devices and equipment.

Up to a height of Eight (8) feet above the adjacent exterior grade, Architectural Features projecting beyond the Building Line shall not project by more than Six (6) inches. Within this area, no glass or glazing shall project beyond the Building Line.

Above a height of Eight (8) feet and up to a height of Fifteen (15) feet above the adjacent exterior grade, Architectural Features projecting beyond the Building Line shall be permitted to project an additional amount, to be calculated as One (1) inch of additional projection for each inch of additional clearance, up to a maximum total projection amounting to Two (2) feet.

Above a height of Fifteen (15) feet above the adjacent exterior grade, Architectural Features projecting beyond the Building Line shall be permitted to project up to a maximum total projection amounting to the lesser of: Three (3) feet, or 2/3 of the width of the sidewalk as measured from the Building Line.

(4) Non-Permanent Features as building Projections: For the purpose of regulating Non-Permanent Features as Building Projections at the Building Line, such features are to include:

- Fabric Awnings
- Rigid Canopies not constructed as permanent features of the Building
- Entrance Marquees
- Business or Building Identification and Advertising Signs

Below a height of Eight (8) feet above the adjacent exterior grade, Non-Permanent Features projecting beyond the Building Line shall not project by more than Six (6) inches.

Above a height of Eight (8) feet above the adjacent exterior grade, Non-Permanent Features projecting beyond the Building Line shall not project by more than 2/3 of the width of the sidewalk as measured from the Building Line. No such projection shall extend down below a vertical clearance of Eight (8) feet, except that sloped Fabric Awnings including awning valence may extend down to a vertical clearance of Seven (7) feet

Non-Permanent Features projecting beyond the Building Line must be supported entirely from the Building structure. No stanchions, posts, or other supports shall be permitted on the sidewalk or in the Public Way.

3.12 Height Exceptions

The specified height limitations of these Regulations, Section 4.6, apply to all buildings and structures in their respective Zones, except as follows:

(a) For steeples, spires, belfries and domes of public or institutional buildings, flagpoles, siren towers, broadcast antennas, utility poles and towers, water standpipes; a maximum height equal to setback distance of the highest point of the feature from side or rear lot lines, or 100 feet, whichever is least.

(b) For the following building appurtenances carried above the roofline: chimneys, ventilators, cooling towers, solar collectors, wind vanes, ornamental cupolas, radio and television antennas; a maximum height of 15 feet above the height limit specified by Section 4.6, provided such features occupy no more than 20 percent of the total roof area.

(a) A wind energy conversion system, as authorized in Section 5.15.

For definition of "Height," see Section 8.1.92.

3.13 Setback Exceptions

The specified Minimum Building Setback requirements of these Regulations (Section 4.6) apply to all buildings and structures in respective zones, except as follows:

(a) Essential bridges, drainage structures, utility lines, guard rails, retaining walls, dams, causeways, and erosion-control works are exempt from setback requirements.

(b) Customary and necessary structures on public rights-of-way, such as utility poles, street lighting, postal boxes, and pad mounted transformers, are exempt from setback requirements.

(c) Special setback requirements govern walls, fences, and terraces (Section 3.9), parking facilities (Section 5.6.4), signs (Section 5.9), detached residential apartments (Section 5.12.5), and farm structures (Section 5.14.4).

(d) Bus passenger shelters; see Section 4.2.3 (p).

(e) Where an existing dwelling has been made nonconforming with respect to setback at the adoption of these regulations (*February 1, 1986), additions may be added as follows:

1. The nonconforming ground coverage area may be enlarged by not more than twenty- five (25) percent, provided such addition:
- extends no closer to the same front, side or rear lot lines than the nonconforming setbacks of the existing dwelling; and
- does not exceed the height limit of the existing structure or of these regulations*, whichever is less.

2. A patio, deck, or porch may be added provided that such an addition:
- extends no closer to the same front, side, or rear lot line than the nonconforming setbacks of the existing dwelling or structure; and
- is in full conformity with all other provisions of these regulations*.

3.14 Minimum Rectangle Exceptions

The specified Minimum Rectangle (see Sections 4.6 and 8.1.148) is required of all lots in their respective Zones, except as provided below.

A lot which has been in continuous existence from the effective date of these Regulations*, without alteration of the lot area or boundaries, may observe the following exceptions where applicable:

(a) Where the lot cannot accommodate the specific Minimum Rectangle prescribed by Section 4.6, because of its shape or the position of existing buildings, the Minimum Rectangle which fully accommodates the principal building(s) on the lot and most closely approaches the area and width of rectangle specified by Section 4.6.

(Section 3.14 (b) was removed by the Redding Zoning Commission effective June 1, 2018)

*February 1, 1986

Article IV

ZONING DISTRICTS

4.1 **Districts Established**

The Town of Redding is hereby divided into the following zoning districts ("zones"):

R-4 **Conservation Residential Zone**

Intent of zone: To provide for conservation of those fragile natural resource areas in which any form of development, except widely-spaced dwellings, would tend to be detrimental to public health or safety. This district includes land which is predominantly steep slopes, shallow and poorly drained soils, wetlands and floodplains, public water supply reservoirs and tributary streams, significant aquifers, wildlife refuges and special historic, cultural, recreational, agricultural, greenbelt and conservation areas as may be recommended by the Planning or the Conservation Commissions.

R-2 **Rural Residential Zone**

Intent of zone: To provide a rural residential environment in which desirable living qualities, safe water supply and sewage disposal, flood control, emergency services and other public needs are carefully balanced with conservation of natural resources and protection of public water supply watershed.

R-1 **Low Density Residential Zone**

Intent of zone: To provide a moderately spacious residential environment within the natural capacity of the land to sustain safe water supply, sewage disposal, flood control and other public needs.

R-½ **Suburban Residential Zone**

Intent of zone: To provide an attractive residential environment at locations convenient for shopping, employment and other services, within the capacity of the land to sustain adequate water supply and sewage disposal for each lot and dwelling.

RV **Village Residential Zone**

Intent of zone: To provide residential neighborhoods within walking distance of shopping, employment, public transportation and other facilities, serving the needs of those who require homes other than detached single-family dwellings, at locations in which coordinated water supply, sewage disposal and other necessary service can be efficiently provided.

IHZ **Incentive Housing Zone**

Intent of Zone: To permit and encourage the creation of affordable residential housing in accordance with the principles and requirements of the HOME Connecticut Act (Gen. Statutes 8 – 13m. et seq.), in the form of overlay zones at specific eligible locations, with unique development standards appropriate to each particular location.

(Incentive Housing Zone provisions adopted 7/23/14; effective 7/30/14)

NB **Neighborhood Business Zone**

Intent of zone: To provide for small scale retail centers which will furnish convenience goods and services essential to the daily life of the local neighborhood or community, and will blend harmoniously with the residential and natural environment of their surroundings.

4.1 **Districts Established** – continued

SB **Service Business Zone**
Intent of zone: To provide areas for those commercial services and bulky goods needed by a residential community, which require extensive individual sites, limited however to uses compatible with the surrounding natural and residential environment; and to regulate development and access along Route 7 commensurate with this arterial road's traffic capacity, safety, and speed. (underlined section adopted 12/1996)

BC **Business Center Zone**
Intent of zone: To provide a comprehensive business center for retail trade and services needed by the community at large, as part of a balanced community of residential, business and civic uses within central Georgetown, to be planned for a small village setting compatible with the natural and residential environment of the surrounding area.

OR **Office and Research Park Zone**
Intent of zone: To provide an appropriate setting for quiet office, research and controlled light assembly facilities which will be in harmony with the low density residential character of the community, will protect the tranquility and values of nearby residential areas, and will be developed in campus-type sites which fully preserve the natural beauty and environmental integrity of their surroundings.

SDD **Special Development District**
Intent of zone: To permit and encourage variety and flexibility in land development through the modification of regular standards applicable to the permitted uses of land within a zoning district, providing that the uses within the special development district be in harmony with the objectives and policies of the Plan of Development.

HMC **Historic Mill Center Zone**
Intent of Zone: To conserve historic structures and the unique architectural features of the site and Georgetown; to encourage and preserve public-access open space; to encourage the creation of a civic and cultural center; and to provide, in accordance with an approved Master Plan (as defined in Section 5.1.2.A) for: the adaptive re-use and/or re-development of an historic industrial site; commercial uses such as office, retail, restaurant, small hotel, bed & breakfast and/or service businesses; light manufacturing, warehouse and/or industrial where such uses are developed in existing structures only; a limited variety of residential use options; and light recreational uses of the open space areas.

The location and extent of each zoning district is described in the adopted Zoning Map which accompanies these regulations.

4.2 Residential Zones

Within Residential Zones (R-4, R-2, R-1, R-½, RV), buildings, structures and land shall be used only as permitted in Sections 4.2.1, 4.2.2 and 4.2.3.

4.2.1 Permitted Principal Uses

Any of the following:

(a) Detached single-family dwelling, one (1) per lot.

(b) Public and private open space reservations, where maintained in a natural condition without buildings or activity areas.

(c) Farming, forestry and horticulture, as provided by Section 5.14.

4.2.2 Permitted Accessory Uses

Where clearly subordinate to a permitted principal use on the same site, as regulated by Section 3.7, one (1) or more of the following:

(a) Customary home occupations conducted on the premises by the residents of the premises.*

(b) The professional office of a physician, dentist, architect, engineer, attorney, consultant, realtor, or other member of a recognized profession, resident on the premises.*

(c) The studio of an artist, craftsman, designer, musician, photographer, scientist, or writer, resident on the premises.*

(d) Storage garage and workshop for a self-employed member of a recognized trade, such as builder, carpenter, electrician, cabinet maker, mason, plumber, radio technician, salesman or surveyor, resident on premises, provided there shall be no mass production of goods and no outdoor storage of commercial vehicles or equipment.*

(e) Detached accessory buildings and structures clearly incidental to the residential use of the principal dwelling, such as vehicle garages, tool sheds, garden houses, animal barns, greenhouses, cabanas, children's playhouses, and the like.

(f) Recreational facilities limited to use by residents of the premises and their invited guests, including swimming pools, tennis courts and other sporting facilities, but excluding vehicle racing and outdoor firearms ranges.

(g) On-site parking for passenger automobiles owned and in regular off-premises use by the residents thereof, and as necessary for transitory parking by permitted clients, employees, visitors and deliveries, as regulated by Section 5.6.

(h) On-site storage for recreational vehicles owned and in regular or seasonal use by residents of the premises, as regulated by Section 3.8.

* Special limitations apply. See Sections 5.10 (Home Enterprises) and 8.1.39 and 8.176 (Definitions)

4.2 **Residential Zones** – continued

4.2.2 **Permitted Accessory Uses** - continued

(i) Seasonal display and sale of farm, garden and nursery produce, where raised entirely on the premises by the residents thereof, as regulated by Section 5.14.

(j) A temporary tag sale or auction, as regulated by Section 5.11.

(k) Signs, as regulated by Section 5.9.

(l) Necessary utility fixtures, including dish antenna as regulated in Section 5.16. **and ground mounted solar photovoltaic systems as regulated in Section 5.16.1.**
(bold type section added May 2020)

4.2.3 **Permitted Special Uses**

Subject to a Special Permit granted by the Commission, in accordance with Section 5.1, the following uses may be authorized:

(a) Public schools and private schools, as defined herein (Section 8.1.174, 8.1.178), including customary accessory buildings and facilities such as gymnasiums, auditoriums, libraries, laboratories, chapels, dormitories, faculty residences, playgrounds, stadiums and playfields.

(b) Churches and other places of worship, including accessory parish house, classroom, convent and rectory facilities, where serving a congregation primarily resident in the local community.

(c) Public parks and recreation facilities, including all parks developed for active recreational uses.

(d) Town governmental and public safety facilities, including Town Hall, municipal offices and meeting rooms, town sponsored civic and social centers, public fire houses, police stations, municipal garages, refuse collection centers and utility buildings.

(e) Special residential complex (public housing) owned and operated by the Town of Redding, provided located on a minimum site of 10 acres, subject to compliance with all standards and requirements of Section 5.13.

(f) Public libraries, museums, nature centers, art galleries, playhouses and similar institutions serving a community cultural need.

(g) Public utility and public service facilities essential to serve the local community, including telephone exchange, U.S. Post Office, electric substation, pumping stations, water standpipes, electric transmission lines, and similar facilities.

(h) Private social and recreational clubs, including archery, ballfield, tennis, swimming and similar outdoor recreation facilities, but not including firearms and motor vehicle racing activities provided each is conducted as a membership club and utilized site area does not exceed 50 percent of total site area.

(i) Golf clubs, equestrian clubs, and country clubs, limited to members and guests only, provided located on a site of at least twenty-five (25) acres.

4.2 **Residential Zones** - continued

4.2.3 **Permitted Special Uses** - continued

(j) Livery stables, riding academies, livestock farms, and forest sawmills, subject to the provisions of Section 5.14.

(k) Retail sale and processing of farm and forest produce, in excess of limits allowed as accessory use (see Section 4.2.2i), subject to Section 5.14.4

(l) Cemeteries, excluding mausoleums and crematoriums, provided located on a site of at least five (5) acres.

(m) Recreational camps, arboretums, and conservation training centers, in which the natural character of the land is substantially preserved, provided located on a site of at least twenty-five (25) acres.

(n) An accessory residential apartment, subordinate to a single-family dwelling, subject to the limitations of Section 5.12.

(o) Within RV Residential Zone only, residential apartments, townhouses or condominiums not exceeding a density of one (1) residential unit per 8,000 square feet of site area, subject to the limitations of Section 5.13.

(p) A public fair, conducted by a local civic organization for a brief duration, subject to the limitations of Section 5.11.

(q) A roadside passenger shelter, located at a scheduled school bus stop, commuter parking facility or other mass transit loading point (see Definitions, Section 8.1.166).

(r) Wind energy conversion system, subject to the limitations of Section 5.15.

(s) This Section intentionally left blank.

(t) Within the R-4, R-2, and R-1; Bed and Breakfast establishments subject to the provisions of Section 5.18.

4.2.4 **Development Standards**

The requirements of these Regulations for the various Residential Zones, governing lot area, lot shape and frontage, building setbacks, structure height and coverage, and other dimensional standards, are set forth in Section 4.6.

4.2.5 **Other Regulations and Requirements**

Refer to Articles III and V.

4.2.6 **This Section intentionally left blank**

4.2 **Residential Zones** - continued

4.2.7 **Special Development District**

On application by all owner(s) of affected property in the NB, BC, OR, or HMC zones, or of a particular site recommended for such designation on the Town Plan of Development as adopted by the Redding Planning Commission, the Zoning Commission may establish a Special Development District (SDD) in accordance with the following specifications and standards:

(a) Application shall be for amendment to the zoning map, as approved in Section 7.1, and be accompanied by perimeter survey, certified Class A-2, which accurately identifies the proposed SDD boundaries and the names and addresses of all included and abutting property owners.

(b) The property area subject to the change to SDD shall not be less than 50 acres of contiguous land.

(c) The application shall be accompanied by a site plan or plans which fully conform with the requirements of Section 5.2.1 through 5.2.8 inclusive, and Section 5.2.9 a, c, d, e, f, and g. In addition, a written report shall be submitted describing the precise uses of the land, buildings or other structures, and the minimum bulk, minimum area, proposed affordable housing and open space, and location standards applicable to the SDD.

(d) Permitted Principal uses shall be limited to one of the following:
1. Retirement-village residential community, deed-restricted to residents fifty (50) years of age and older.
2. Life-care residential community, including a range of housing types and a nursing care facility to serve the needs of the elderly and infirm.
3. In the HMC Zone, any combination of uses as permitted in the HMC Zone, or any combination of other uses and structures as deemed appropriate by the Zoning Commission, provided that such uses, and the size and location of structures have been approved by the Zoning Commission in conjunction with an SDD application, or an amendment thereto.

(e) Permitted accessory uses shall be as determined appropriate by the Commission for each application.

(f) Each application shall be judged by the Commission on its merits, as a change of zone application, in serving a community need and for compatibility with the Statement of Purpose of these regulations. On adoption by the Commission, the particular regulations for each SDD, including its approved site plan(s), shall supplant and replace the previous zoning classification and all other regulations pertaining to the SDD area. All other requirements of these regulations shall remain in full force.

(g) In the HMC Zone, an applicant requesting to establish a Special Development District may, at its discretion, request that the Zoning Commission establish a Special Development District in accordance with the procedures established for a Master Plan Special Permit, as set forth in Section 5.1.2 of these regulations.

4.2 **Residential Zones** – continued

4.2.8 Incentive Housing Zone (Incentive Housing Zone provisions adopted 7/23/14; effective 7/30/14)

An Incentive Housing Zone (IHZ) is a special purpose overlay zone which is created by the Zoning Commission only in accordance with a site-specific Incentive Housing Zone Plan prepared by the Town of Redding, which plan has been accepted by the State of Connecticut's Office of Policy and Management in accordance with the provisions of Connecticut General Statutes Section 8 – 13m. et seq.

Based upon the above standard, an IHZ may be superimposed within any zoning district, over an area of land which meets the locational criteria of Subsection 4.2.8a. An IHZ shall not annul or abrogate the provisions and requirements of the underlying zone except as specifically modified for the IHZ overlay area.

(a) Location Criteria for an Incentive Housing Zone

The IHZ shall be designated by the Zoning Commission within explicit boundaries in accordance with the following criteria:

- In conformity with recommended IHZ site as depicted in the Incentive Housing Plan for the Town of Redding, Connecticut (hereby incorporated by reference), or as mapped by the Town in accordance with the criteria of General Statutes 8 – 13m. et seq.

- Within walking distance (generally 1,500 feet or less) of an existing or proposed transit station or public transportation node.

- Within an area of existing or planned public water supply or sanitary sewers, or both, or in an area demonstrated to be capable of safe water supply and sewage disposal within planned IHZ densities.

- Located for consistency with the State of Connecticut Policies Plan of Conservation and Development (State Plan, as now or hereafter adopted); generally not within a "Conservation" or "Preservation" area as designated in such Plan, or in a public water supply watershed area.

(b) Application Criteria

Application shall be made to the Zoning Commission for approval of an Incentive Housing Development, within a previously-designated IHZ, in accordance with the requirements of Section 4.2.8 and 5.2 of these regulations.

Each Application shall include a Housing Plan, a draft Affordability Covenant, and a Site Plan.

The Housing Plan shall provide that twenty percent (20%) or more of all residential units in the project shall be subject to an Affordability Covenant for a period of thirty (30) years or longer, which meets the affordability criteria of Section 8 – 13m. et seq. and 8 – 39a. of the Connecticut General Statutes. The Plan shall identify the restricted units and provide that all residential units in the project shall be substantially equal in size, features, equipment and quality of finish.

4.2 **Residential Zones** – continued

4.2.8 Incentive Housing Zone – continued

(b) Application Criteria – continued

The Affordability Covenant shall be in the form of a deed restriction or lessee stipulation, in legal form as prescribed by the Zoning Commission, which will be separately executed for each affordable unit. The Covenant shall restrict the unit's occupancy to persons and families whose household income does not exceed eighty percent (80%) of the median household income for the local area, as such area and income are determined periodically by the United States Department of Housing and Urban Development (HUD). Updated HUD information on median family income and allowable housing cost, adjusted for household size, will be provided annually to each affordable unit owner or lessor by the Commission. Such owner of lessor shall thereupon be required to return to the Commission a signed affidavit verifying the unit's compliance with current affordability criteria in respect to number of occupants, combined household income, rent or other housing costs including monthly mortgage payments, taxes, insurance and utilities.

Site Plan requirements are summarized in subsection (c) below.

Although the Incentive Housing Development (IHD) is a permitted use subject to conformity with the site plan requirements of Section 5.2.2 and 5.2.4, the Commission shall hold a public hearing on an original IHD application (as required by Section 5.2.3). However, the Commission may elect to approve one or more minor amendments to an existing IHD, without public hearing, provided it finds such to be not inconsistent with the purposes of the Incentive Housing Zone and the enabling statute (CGS 8 – 13m. et seq.).

(c) Site Plan

In addition to compliance with the site plan specifications of Section 5.2, each IHZ site plan shall show:

- Distance and route to nearest transit station or stop;

- Pedestrian walks proposed to interconnect all building, transit facilities, parking areas, and other developed areas;

- The layout and boundaries of proposed individual lots and parcels, if any, including common ownership parcels, open space parcels, easements and any feature required by an approved subdivision plan;

- Proposed buildings and other developed features in sufficient detail to conformity with these regulations; and

- Proposed civic, recreational and other public or community facilities as desirable to enhance living conditions for the residents of the IHZ development, including but not limited to open space, greenways, bikeways, trails, and transit shelters serving the larger area.

4.2 **Residential Zones** – continued

4.2.8 Incentive Housing Zone – continued

(d) Building Design, Landscaping, Historic Preservation

All buildings and other structures within an IHZ site shall be harmonious in exterior design with one another and with any vintage or historic structures on the site, as fully as possible. The Commission may require that existing buildings deemed historic be faithfully preserved in exterior appearance, as provided in Section 5.8.1 and 5.8.2 of these regulations. Each IHZ site shall require landscaping appropriate for a residential neighborhood, in accordance with the standards of Section 5.7 of these regulations.

(e) Schedule of Requirements, Incentive Housing Zone

The specific standards expressed in the following table (horizontal lines) govern the Incentive Housing Zone as particularly established for each IHZ site (vertical columns). Lines 2, 3 and 4 of Section 4.6 ("Schedule of Requirements"; standards for minimum rectangles and lot frontage) shall not apply to IHZs. All other standards and requirements of these regulations for the underlying zone shall continue to apply to the IHZ except as modified in the schedule.

4.2 **Residential Zones** – continued

4.2.8 Incentive Housing Zone – continued

(e) Schedule of Requirements, Incentive Housing Zone

REQUIREMENT	IHZ - A: Ethan Allen Hwy & Old Redding Rd. R-2 Zone	IHZ - A: Ethan Allen Hwy & Old Redding Rd. SB Zone	IHZ – B: Old Mill Road BC Zone
PERMITTED PRINCIPAL USES, Limited To:	Single-family and 2-family dwellings. Residential townhouses. Open space, parks, greenway, cultural & recreational facilities. Transit station.	Residential townhouses and apartments. Mixed use residential with retail and/ or office on ground floor (max. floor area/non-Residential unit 1000 sq. ft.)	Residential townhouses and Apartments. Mixed use street-level retail with upper level office and residential.
PERMITTED ACCESSORY USES, Limited To:	Uses provided in Section 4.2.2 Community facilities.	Uses provided in Section 4.2.2 Community facilities.	Accessory parking, signs, Recreation facilities, Utilities.
PERMITTED SPECIAL USES	None.	None.	None.
RESIDENTIAL DENSITY (Minimum/Maximum)	6 – 8 dwelling units/acre.*	6 – 8 dwelling units/acre.*	10 – 15 dwelling units/acre.
MINIMUM BUILDING SETBACKS	Street: 30 feet Side & rear lines: 10 feet Zone boundary: 50 feet	Street: 20 feet Side & rear lines: 10 feet Zone boundary: 50 feet	Street: 10 feet Side & rear lines: none Zone boundary: none
MINIMUM SPACE BETWEEN BUILDINGS (on same lot)	12 feet	12 feet	No requirement
MAXIMUM BUILDING COVERAGE (percent of site)	20%	25%	35%
MAXIMUM IMPERVIOUS AREA (percent of site)	30%	40%	90%
MAXIMUM BUILDING HEIGHT	40 feet	40 feet	40 feet
MINUMUM PARKING SPACES/RESIDENTIAL UNIT	1.5	1.5	1.0
MINIMUM TRAVELWAY WIDTH, INTERNAL IHZ ROADWAY	20 feet	20 feet	18 feet
MINIMUM PROPORTION AFFORDABLE RESIDENTIAL UNITS	Public or Non-Profit Ownership: 100% Private, for profit Ownership: 20%	Public or Non-Profit Ownership: 100% Private, for profit Ownership: 20%	20%

*No minimum lot size per dwelling unit is prescribed but the number of dwelling units in an Incentive Housing Development shall not exceed the prescribed maximum density in units per acre.

4.2 **Residential Zones** – continued

4.2.8 Incentive Housing Zone – continued

(f) Incentive Housing Zone Design Standards

In addition to compliance with Sections 4.2.8c through 4.2.8e inclusive, and with Sections 5.2.2 and 5.2.4 of these Regulations, every IHZ application shall meet the following standards for design of site layout and all constructed features.

- Coordination of Plans
  Each site plan shall encompass either the full block to be developed (e.g. Ethan Allen Highway south of Old Redding Road) or the individual site with all adjoining IHZ parcels to show how future correlation of circulation, utilities and building alignment may best occur (e.g. Old Mill Road west side parcels). Each site plan shall also generally reflect, insofar as possible, the design concepts illustrated graphically and described in the test of the Incentive Housing Plan for the particular site.

- Traffic and Pedestrian Circulation
  Site design shall provide for a seamless, safe and convenient flow of vehicular traffic and pedestrian movement between all buildings, parking areas, and major destinations, by means including but not limited to, street frontage sidewalks, parking lot pedestrian ways and open space trail paths where the latter are shown on the IHZ plan.

- Off-Street Parking
  Required parking spaces shall be located for convenient access to the building(s) served and may be enclosed within or under a building, or beneath an adjacent deck.

- Utilities
  All systems for water supply, sewage disposal, delivery of electric power and communications shall be underground except that the Commission may allow building-mounted wind energy conversion systems, solar panels and communication antennas wherever compatible with other design features.

- Streetscape and Landscape
  The frontage of each public way and each circulation roadway within an IHZ site shall be fully landscaped with shade trees and ornamental plantings in accordance with Section 5.7 of these Regulations. Fences, lighting standards and signs, where any of these features are visible from a public way, shall require Commission approval for design and location. See Section 5.7: Landscape Requirements.

- Building Facades
  The facades of each group of connected or closely-spaced buildings shall be similar in scale, proportion and fenestration, but may vary in detail and orientation, to achieve the visual harmony characteristic of a traditional village street. Building elevations require approval as a design element of the site plan.

-Continues-

4.2 **Residential Zones** – continued

4.2.8 Incentive Housing Zone – continued

(g) Incentive Housing Zone Design Standards – continued

- Accessory Buildings and Structures
  Where permitted, accessory buildings and structures shall harmonize in exterior appearance with nearby principal buildings and shall require Commission design approval. Dumpsters, storage bins and mechanical equipment shall be screened from view.

- Community Facilities
  Facilities essential for community health, safety or convenience shall be in accordance with the Incentive Housing Plan of Redding and the above design standards.

4.3 **Business Zones**

Within the respective Business Zones (NB, SB, BC), use of buildings, structures and land shall be only for the permitted uses cited in each zone. All new and enlarged uses shall require a site plan approved by the Zoning Commission, as approved by Section 5.2.

4.3.1 **Neighborhood Business (NB) Zone**

(a) **Permitted Principal Uses**:

- Stores and shops for the conduct of retail trade in customary household, personal and convenience goods, including: food, apparel, stationery, prescription drugs, flowers, bakery products, hardware, home furnishings, garden supplies, books and periodicals, toiletries, art and artist supplies, cameras, jewelry, antiques, candy and tobacco, shoes, gifts, textiles, furniture, decorating supplies, plants, leather goods, sporting goods, record and musical instruments, radio and television, household appliances, automotive parts, packaged liquor, health supplies, toys, paper goods, china, glassware, clocks, and other light retail merchandise as approved by the Commission.

- Personal services customarily provided directly on the premises, including: bank, barber shop, beauty shop, tailor, photographer, appliance repair, laundromat, optician, travel agency, custom photocopy, small equipment rental, retail bakery, (including pizza and salad), food caterer, pharmacy, service agency, specialized schools, secretarial services, and other light convenience services as approved by the Commission.

- Full-service restaurant in which interior seating accommodations are provided for all customers served.

- Laundry and dry cleaning outlet, provided there shall be no processing of apparel on the site.

- Business and professional offices.

- Passenger terminals, taxi and limousine depots.

- U.S. Post Office.

- Public parks and open space.

(b) **Permitted Accessory Uses:**

- Off-street parking and loading, as provided by Section 5.6.

- Signs, as provided by Section 5.9.

- Satellite dish antenna, as provided by Section 5.16.

- Fully enclosed or screened outdoor storage and utilities, wherever determined necessary by the Commission for reasons of safety. The exterior display of merchandise for sale is prohibited, except as shown on the site plan approved by the Commission.

4.3 **Business Zones** - continued

4.3.1 **Neighborhood Business (NB) Zone** - continued

(b) **Permitted Accessory Uses -** continued**:**

- One (1) or more residential apartments where clearly subordinate to a permitted business use on the same site and specifically approved by the Commission as part of a requisite site plan. The total floor area of such apartments shall not exceed 30% of the developed floor area on the same site. Each apartment unit shall be limited to a single bedroom and a maximum floor area of one thousand (1000) square feet, and shall be provided with its own separate entrance and two (2) parking spaces.

(c) **Permitted Special Uses**

- As permitted in residential zones, Section 4.2.3, subsections (a), (b), (d), (f), (g), (p), and (q).

(for convenience, they are listed here as shown in 4.2.3)

(a) Public schools and private schools, as defined herein (Section 8.1.174, 8.1.178), including customary accessory buildings and facilities such as gymnasiums, auditoriums, libraries, laboratories, chapels, dormitories, faculty residences, playgrounds, stadiums and playfields.

(b) Churches and other places of worship, including accessory parish house, classroom, convent and rectory facilities, where serving a congregation primarily resident in the local community.

(d) Town governmental and public safety facilities, including Town Hall, municipal offices and meeting rooms, town sponsored civic and social centers, public fire houses, police stations, municipal garages, refuse collection centers and utility buildings.

(f) Public libraries, museums, nature centers, art galleries, playhouses and similar institutions serving a community cultural need.

(g) Public utility and public service facilities essential to serve the local community, including telephone exchange, U.S. Post Office, electric substation, pumping stations, water standpipes, electric transmission lines, and similar facilities.

(p) A public fair, conducted by a local civic organization for a brief duration, subject to the limitations of Section 5.11.

(q) A roadside passenger shelter, located at a scheduled school bus stop, commuter parking facility or other mass transit loading point (see Definitions, Section 8.1.166).

(d) **Excluded Uses**

Uses permitted in other zones, but not expressly included in the permissions cited above, are prohibited in the NB Zone.

4.3 **Business Zones** - continued

4.3.2 Service Business (SB) Zone*

(a) **Permitted Principal Uses**:

- Restaurant, theater, motel, hotel, inn.

- Recreation facilities (indoor and outdoor), including: tennis, handball, squash, racquet ball, ice skating, swimming, golf, and similar recreation facilities as approved by the Commission; excluding, however, amusement parks.

- Animal hospital under veterinary supervision provided there shall be no animals kept outdoors at any time.

- Convenience stores for the conduct of retail trade in the customary goods including: food, apparel, stationery, flowers, bakery products, hardware, home furnishings, garden supplies, books and periodicals, toiletries, cameras, jewelry, antiques, plants, leather goods, sporting goods, records, musical instruments, automotive parts, packaged liquor, health supplies, toys, paper goods, China, glassware, clocks, and other light retail merchandise as approved by the Commission.

- Personal services customarily provided directly on the premises including barbershop or beauty shop.

- Retail bakery, including pizza and salad.

- Farm and garden centers, including sales of plants, hay, feed, grain, fertilizer, fencing, animal accessories, farm tools, supplies and equipment, and sales and repair of tractors, lawnmowers and agricultural implements.

- Motor vehicle sales, service, rental and repair, including retail sales of motor fuel, lubricants and parts, car wash with no discharge of water into septic systems or to the earth, all water to be contained by 100 percent recovery systems, excluding auto body shops, motor vehicle junkyards, (except necessary cleaning and repair or incidental to vehicle sales or service); subject to special precautions to insure against the discharge of environmental pollutants in accordance with Section 5.3.

- Repair garage and storage facilities for school buses, transit vehicles and highway maintenance vehicles where the foregoing directly serve the local community, subject to compliance with Section 5.3.

- Building materials storage and sales, including lumber, hardware, mason supplies, household fixtures and equipment, excluding processing and bulk sales of unpackaged commodities such as sand, gravel, asphalt and concrete.

- Newspaper publishing and job printing, parcel distribution service, local distribution warehouse for non-hazardous finished consumer products, utility facilities and service yards for construction contractors, subject to special precautions to insure against discharge of environmental pollutants in accordance with Section 5.3.

- * Special limitation on access spacing along the frontage of Route 7 apply; referred to Section 5.6.11 (adopted 12/1996).

4.3 **Business Zones** - continued

4.3.2 Service Business (SB) Zone - continued*****

(a) **Permitted Principal Uses** - continued:

- Public utility facilities needed to serve the local community, such as electric substations, sewage treatment plants, flood control works, water supply stand pipes, water filtration plants, utility garages and the like.

- A small office for administration and dispatching work crews to other locations. Vehicles and equipment can be stored on the site. This storage of vehicles/equipment should not, in general, interfere with other normal commerce in the Zone. No exterior equipment maintenance will be performed on the site.

- Subject to special precautions in accordance with Section 5.3.2, bulk storage and distribution of domestic heating oil, coal, and wood; excluding industrial oils, natural or manufactured gas and other fuels.

- Subject to Commission approval of each proposed use in accordance with the findings specified in Section 4.5.1d, light fabrication, assembly, packaging and storage of goods finished for consumer distribution, provided such goods are of hand portable size or are products of highly skilled craftsmanship.

- Business and professional offices, including rental space, limited to 25 percent of total building floor area on each site.

- Self-service storage facility (see definition Section 8.1.220)**

(b) **Permitted Accessory Uses:**

- As permitted in Neighborhood Business (NB) Zone, Section 4.3.1 (b).

- Electronic games, not more than four (4) per establishment.

- Storage and sale of natural and manufactured gas, with on-site storage capacity not to exceed 1,000 gallons subject to Special Permit precautions, in accordance with Section 5.3.2.

(c) **Excluded Uses:**

Uses permitted in other Zones, but not expressly included in the permissions cited above, are prohibited in SB Zone.

* Special limitation on access spacing along the frontage of Route 7 apply; referred to Section 5.6.11 (adopted 12/1996).

** Adopted September 17, 2015

4.3 **Business Zones** - continued

4.3.3 Business Center (BC) Zone

(a) **Permitted Principal Uses:**

- As permitted in neighborhood business (NB) and in service business (SB) Zones, Sections 4.3.1 (a) and 4.3.2 (a) respectively; excluding, however, any fabrication, assembly or packaging of goods, or self-service storage facilities [storage facilities amendment September 17, 2015] (permitted in Section 4.3.2 (a) for SB Zone).

- Institutional and public service facilities, including public school, private school, firehouse, police station, library, museum, church or place of worship, community or cultural center, daycare facility, public agency, hospital medical or dental clinic, nursing home, convalescent hospital.

- Funeral home.

- Private clubs, civic or fraternal organization.

(b) **Permitted Accessory Uses:**

- As permitted in neighborhood business (NB) Zone, Section 4.3.1 (b).

- Off-street parking and loading, as provided by Section 5.6

- Signs, as provided by Section 5.9

- Satellite dish antenna, as provided by Section 5.16

- Fully enclosed or screened outdoor storage and utilities, wherever determined necessary by the Commission for reasons of safety. The exterior display of merchandise for sale is prohibited, except as shown on the site plan approved by the Commission.

- One (1) or more, but not more than four (4) residential or studio apartments where approved by the Commission as part of a requisite site plan, provided such apartment (s) shall:
  - Be clearly subordinate to a permitted business use on the same site, and located only on the second or third story of a building;
  - Not exceed; in total apartment floor area, 30 percent of the developed floor area on the same site;
  - Contain not less than 600 square feet not more than 1,000 square feet of floor area per apartment unit, nor more than two (2) separate bedrooms within each apartment unit;
  - Be provided with a separate entrance for each apartment unit and with two (2) parking space for each apartment unit.

(c) **Excluded Uses:**

Uses permitted in other zones, but not expressly included in the permissions cited above, are prohibited in BC Zone.

4.3 **Business Zones** - continued

4.3.3 Business Center (BC) Zone - continued

(d) **Special Regulations for Remainder Portions of Lots Divided By Building Lines.** (See Section 8.1.205 definitions) Where any lot in BC Zones has been divided by one (1) or more building lines established by the Planning Commission pursuant to Section 8-29 of the Connecticut General Statutes, and the owner(s) of such lots have conveyed land recommended for public acquisition to the Town of Redding in full compliance with the requirements of Section 5.6.9 of these regulations, the following regulations govern any portion of such lot within which parking and setback requirements do not apply (as provided in Section 5.6.9). Projecting features beyond the building line are governed by Section 3.11.

Subject to a Special Permit and site plan approved by the Commission in accordance with section 5.1 and 5.2, single-family or multiple family residential uses may be authorized at a density not to exceed one (1) dwelling unit per each 8,000 square feet of remainder site-ownership area, provided:

1) The application includes verification of permission to connect all units to public water supply and sewer;

2) Safe access to all units shall be provided by a driveway capable of two-way traffic, in accordance with design standards and a circulation plan approved by the Commission;

3) Except where waived by the Commission as unnecessary for circulation or found infeasible due to topography, a pedestrian accessway, safely designed and suitably landscaped at least ten (10) feet in width, shall connect the residential portion of the site to the nearest portion of the site's street frontage;

4) Landscaped open space shall surround all sides of each building, with variations in spacing permissible to accommodate necessary parking and driveways, and all buildings shall be separated by at least 25 feet of intervening space;

5) Two (2) on-site parking spaces shall be provided for each residential unit, as provided in Section 5.6;

6) Residential, accessory parking, open space, and parkland uses shall be only permissible uses within such Remainder Portions of lots in the BC Zone;

7) Setbacks from Residential Zone boundary lines, as specified by Sections 4.6 and 5.6.4 of these Regulations, shall continue to apply.

4.3.4 **Development Standards**

The requirements of these regulations, for the various Business Zones, governing lot area, dimensions, frontage, setbacks, high-end coverage, are set forth in Section 4.6 hereof.

4.3.5 **Other Regulations and Requirements**

Refer to Articles III and V

4.4 Office and Research Park (OR) Zone

Within the Office and Research Park Zone, buildings, structures and land shall be used only as provided in this Section. Each use, because of its unique characteristics, shall be considered an individual case and shall require a site plan approval by the Zoning Commission in accordance with Section 5.2. No approval shall be granted by the Commission until it is satisfied that nearby residential values are securely protected and that the standards of this Section and of Sections 5.2 and 5.3 are fully met.

4.4.1 Permitted Principal Uses

Any combination of the following is permitted provided the maximum number of employees, per shift, shall be one (1) employee for each three hundred fifty (350) square feet of gross building floor area as determined by the Commission:

(a) Executive, corporate and administrative offices.

(b) Data processing, financial and statistical research centers.

(c) Laboratories and research facilities for technology, design, and prototype only productive development.

(d) Scientific, cultural and technical institutes, libraries, research and consulting services.

(e) Communications media centers, including editorial, writing, graphic arts, advertising and broadcasting activities; but excluding volume printing and engraving.

4.4.2 Permitted Accessory Uses

Where clearly subordinate to a permitted principal use of uses, and as regulated by Section 3.7, any one (1) or more of the following:

(a) Necessary parking and access roadways, subject to Section 5.6.

(b) Necessary utilities, including water storage tanks, sewage treatment facilities, electric substations and transformers, pump stations, and similar essential facilities.

(c) Signs, subject to Section 5.9.

(d) Grounds maintenance buildings, including vehicle garages, indoor equipment storage and not more than one (1) residential apartment for a resident caretaker or security officer.

(e) Museums, libraries or cultural centers, where maintained as a public service for public information, such as technology demonstration exhibits and facility tour centers.

(f) Employee recreation centers, including tennis, golf, swimming and other quiet, non-motorized recreational activities.

(g) Wildlife and conservation areas, horticultural and agricultural activities within the limitations of Section 5.14.

(h) Satellite dish antenna, as provided by Section 5.16.

4.4 **Office and Research Park (OR) Zone** - continued

4.4.3 **Development and Performance Standards**

The requirements of these regulations, governing lot area, shape, dimensions, frontage, setbacks, paves coverage, and high-end coverage of structures, are set forth in Section 4.6 hereof. Particular reference should be made to Sections 5.2 through 5.7 for applicable performance standards.

4.4.4 **Other Regulations and Requirements**

Refer to Articles III and V.

4.5 **Historic Mill Center (HMC) Zone**

Subject to the limitations of a special permit approved by the Commission in accordance with Sections 5.1, 5.2 and the standards of this section, a designed multiple-use village may be authorized for one or more of the following uses.

4.5.1 (This section left intentionally blank)(*)

4.5.2 (This section left intentionally blank)(*)

4.5.3 - **Permitted Uses(*)**

(a) Permitted Principal Special Uses(*)

- Stores and shops for the conduct of retail trade in customary household, personal and convenience goods, including: food, apparel, stationary, prescription drugs, flowers, bakery products, hardware, home furnishings, garden supplies, books and periodicals, toiletries, art and artist supplies, cameras, jewelry, antiques, candy and tobacco, shoes, gifts, textiles, furniture, decorating supplies, plants, leather goods, sporting goods, records and musical instruments, radio and television, household appliances, automotive parts, packaged liquor, health supplies, toys, paper goods, china, glassware, clocks, and other light retail merchandise as approved by the Commission.

- Personal services customarily provided directly on the premises, including: bank, barber shop, beauty shop, tailor, photographer, appliance repair, laundromat, optician, travel agency, custom photocopy, small equipment rental, retail bakery (including pizza and salad), food caterer, pharmacy, service agency, specialized schools, secretarial services, and other light convenience services as approved by the Commission.

- Full-service restaurant in which interior seating accommodations are provided for all customers served.

- Laundry and dry cleaning outlet, provided there shall be no processing of apparel on the site.

- Business and professional offices.

- Passenger terminals, taxi and limousine depots.

- U.S. Post office.

*See footnote, page 29.

4.5 **Historic Mill Center (HMC) Zone** - continued

4.5.3(a) - **Permitted Principal Special Uses (*)** – continued

- Public parks and open space.
- Restaurant, theater, motel, hotel, inn.
- Recreation facilities (indoor or outdoor), including: tennis, handball, squash, racquet ball, ice skating, swimming, golf, and similar recreation facilities as approved by the Commission; excluding, however, amusement parks.
- Convenience stores for the conduct of retail trade in customary goods including: food, apparel, stationary, flowers, bakery products, hardware, home furnishings, garden supplies, books and periodicals, toiletries, cameras, jewelry, antiques, plants, leather goods, sporting goods, records, musical instruments, automotive parts, packaged liquor, health supplies, toys, paper goods, china, glassware, clocks, and other light retail merchandise as approved by the Commission.
- Personal services customarily provided directly on the premises including barber shop or beauty shop. [Adopted 9/96.]
- Retail bakery, including pizza and salad. [Adopted 9/96.]
- Newspaper publishing and job printing, parcel distribution service, local distribution warehouse for non-hazardous finished consumer products, utility facilities and service yards for construction contractors, subject to special precautions to insure against discharge of environmental pollutants in accordance with Section 5.3.
- Institutional and public service facilities, including public school, private school, fire house, police station, library, museum, church or place of worship, community or cultural center, day-care facility, public agency, hospital, medical or dental clinic, nursing home, convalescent hospital.
- Funeral home.
- Private club, civic or fraternal organization.
- Civic, public, institutional, and utility uses as generally provided in Section 4.2.3, subsections a, b, c, d, f, g, h, p, and q.
- Corporate office and research facilities, as generally provided in Section 4.4.1, subsections a through e inclusive.
- Light manufacturing, warehouse and/or industrial uses where such uses are developed within existing structures and are compatible with the mixed use environment contemplated within the Master Plan.

-continues-

*See footnote, page 29.

4.5 **Historic Mill Center (HMC) Zone** - continued

4.5.3(a) - **Permitted Principal Special Uses (*)** – continued

- Multiple-family residential -- including apartments, condominiums, townhouses, units dedicated and deed restricted for use as Elderly Housing or Affordable Housing -- subject to the density restrictions below. Potential site development areas shall be limited to development within restored existing structures or within area currently occupied by structures where an existing structure has been demolished and reconstructed, and where the land area counted is compatible with EPA standards for residential use. The total floor area available for residential uses shall not exceed 25 percent of the total developed floor area of any structure. The total of all residential uses shall not exceed 40% of the total planned developed floor area, subject to:

  1. 4 units per acre of developed site area; or

  2. 8 dwelling units per acre of developed site area if the units are wholly within restored historic buildings and at least 20% of the units are dedicated and deed restricted to meet Elderly Housing requirements. Historic buildings to be restored in accordance with a preservation and restoration plan included in the Master Plan for the project; or

  3. 10 dwelling units per acre of developed site area if the units are wholly within restored historic buildings and at least 30% of the units are dedicated and deed restricted to meet Affordable Housing requirements. Historic buildings shall be restored in accordance with a preservation and restoration plan included in the Master Plan for the project.(*)

4.5.3(b) - **Permitted Accessory Special Uses(*)**

- Off-street parking and loading, as provided by Section 5.6.

- Signs, as provided by Section 5.9.

4.5.4 - **Special Standards for Permitted Accessory Uses**

The building setback requirements specified by Section 4.6 for HMC Zone may be waived by the Commission where it finds such to be necessary to assure preservation of Historic Buildings and/or structures, as generally provided for in Section 5.8.3.

The Commission shall find, in granting any Special Permit under this Section, that the multiple-use village fully satisfies the special design criteria of Section 5.2.9, provides for preservation of significant historic structures in the project area, serves the community need, and is in general harmony with the intent of the HMC Zone.

*See footnote, page 29.

4.5 **Historic Mill Center (HMC) Zone** - continued

4.5.4 (a) - **Master Plan for HMC Zone**

All uses within the HMC Zone shall require that the applicant must first obtain a special permit for a master plan showing the proposed development for the entire site addressing all issues identified in Section 5.1.1. The master plan shall identify the individual phases of a project. The level of detail normally required for a site plan may be modified by permission of the Commission but shall be sufficiently detailed to permit the Commission to act on the special permit application in the same manner as specified by Section 5.1.

* Editorial Footnote:
Since all permissible uses in Section 4.5, as currently written (see preamble), are governed as Special Uses the term "Special" has been inserted in the titles of subsections "(a)" and "(b)" to clarify that the listed uses are not "by right". Standard "by right" uses could be added in the future to Sections 4.5.1 and 4.5.2 for single-family dwellings not presently allowed but a specific component of the GLDC Master Plan. The subsection on "multiple-family residential" has been edited for clarity.

4.6 Schedule of Requirements.

	R-4	R-2	R-1	R-½	RV	NB	SB	BC	OR
1 MINIMUM LOT AREA									
Acres	4	2	1	½	NR	NR	1	NR	10
Square feet	174,200	87,120	43,560	21,780	NR	NR	43,560	NR	435,600
2 MINIMUM RECTANGLE AREA (square feet)	90,000	50,000	30,000	15,000	6,000	NR	20,000	NR	200,000
3 MINIMUM LOT AND RECTANGLE WIDTH (feet)	300	200	150	100	60	NR	100	NR	400
4 MINIMUM LOT FRONTAGE									
Front Lots (feet)	50	50	50	50	40	100	100	50	300
Rear Lots (feet)	25	25	25	25					
5 MINIMUM BUILDING SETBACKS									
Front Yard (feet)	60	50	50	40	25	25	50	10	100
Side Yard (feet)	50	40	25	15	15	15	25	NR	50
Rear Yard (feet)	60	50	40	30	30	25	25	25	100
Utility Easement (feet)	25	25	25	20	15	15	15	NR	25
Boundary of Residential Zone (feet)	NR	NR	NR	NR	NR	50	100	50	150
6 MAXIMUM BUILDING HEIGHT (feet)	40	40	40	40	40	40	40	40	40
MAXIMUM BUILDING COVERAGE (percent of lot)	5	10	15	20	25	25	25	35	15
7 MINIMUM INNER COURT (feet)	50	50	40	20	30	25	25	15	50
8 MINIMUM PARKING SETBACK, NON RESIDENTIAL USES									
Front lot line (feet)	50	50	50	25	25	15	15	6	50
Side and rear lot lines (feet)	100	100	100	15	15	10	10	NR	15
9 MAXIMUM IMPERVIOUS AREA (percent of lot)	10	20	25	30	35	75	75	90	35

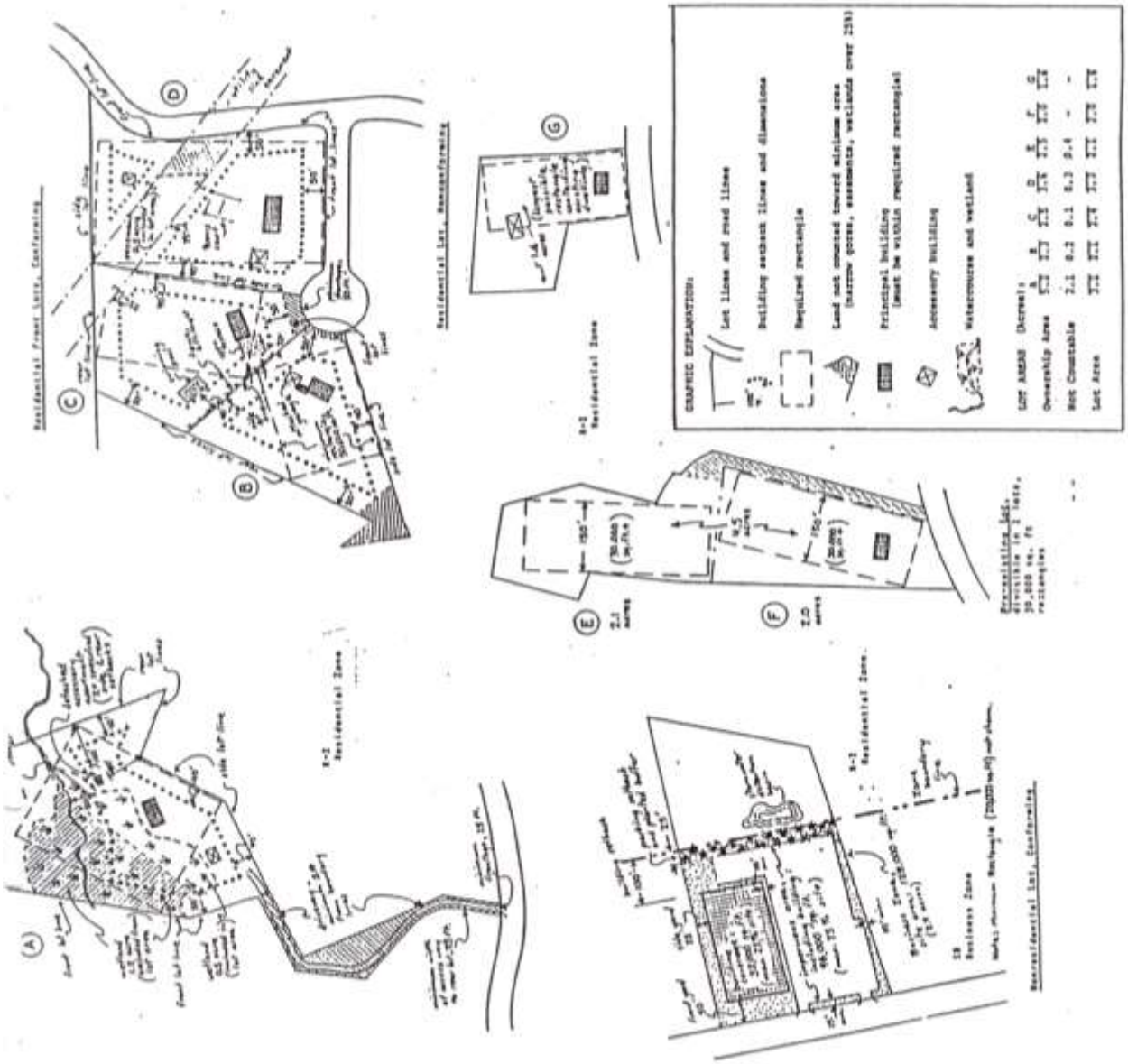
See notes, Page 37

Notes on Requirements by Number

NR	No requirement
■	Not permitted
1	Minimum Lot Area – refer to section 4.2.3 (area requirements, special uses, 3.6 (lot standards), and 5.13 (Special Residential Complex).
2	Minimum Rectangle Area – refer to Sections 9.1.148 (definition), 3.6 (lot standards, required dwelling location), and 3.14 (exceptions).
3	Minimum Lot and Rectangle Width – refer to Section 9.1.138 (definition), and Section 3.14 (exceptions).
4	Minimum Lot Frontage – required frontage must be contiguous, but may extend along one or more roads, Refer to Sections 8.1.133, 8.1.78, and 8.1.185.
5	Minimum Building Setback – refer to Sections 8.1.221 (definition), also 3.10, 3.11, 5.14, 5.12 (apartments), 5.14.1 (farm structures). Additional setbacks may be required.
6	Maximum Structure/Building – refer to Section 8.1.92 and 8.1.245 (definitions) and 3.12 (height exceptions).
7	Minimum Inner Court – no requirement for single-family dwellings. See Section 3.10.
8	Minimum Parking Setbacks – for residential requirements, see Section 5.6.4.
9	Maximum Impervious Area – refer to Section 8.1.105 (definition).
10	Or a maximum of three (3) stories, whichever is less.

See lot illustration diagrams on Page 38

Lot Illustrations Diagram



Article V

DEVELOPMENT STANDARDS

5.1 Permitted Special Uses

Special uses, as permitted within the respective zones, are unique in character and require that each application be considered on its individual merits. A use subject to Special Permit shall not be established, altered or enlarged until specific findings and approval have been made by the Zoning Commission under the following regulations.

5.1.1 Special Permit Application

Application for a Special Permit shall be submitted to the Zoning Commission and shall consist of:*

(a) Information form or letter of application, as prescribed by the Commission, describing the nature of the proposed use, all activities to be conducted on the site, expected public attendance, probable traffic generation and parking needs, number of employees, days and hours of operation, hazardous or waste materials to be stored or disseminated, any characteristics which might prove inimical to nearby residences (such as noise, light, atmospheric emissions), names and addresses of owners and principals responsible for managing the facilities, size of membership if a private organization; bearing the signature of the owners, principals and legal representatives (if any).

(b) A complete site plan, as detailed in Section 5.2. The foremost objective in site development shall be protection of the natural and residential environment of the site, with emphasis on measures to control noise, light, traffic generation, parking visibility, erosion, water contamination and stormwater runoff as they relate to the surrounding area.

(c) Application fee as prescribed by Commission.

(d) The names and mailing addresses of current abutting landowners and other landowners within **100** feet.**

(e) Supplementary data and expert studies may be required of the applicant in any areas of concern related to protection of public health, safety, convenience and property values (such as traffic studies, drainage analysis, and environmental impact evaluations).

At least one (1) mylar original and eight (8) copies of all required maps, plans, and reports shall be supplied to the Commission by the applicant.

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* Application content differs for a fair (Section 5.11), an accessory apartment (Sec 5.12.2), and a farm use (Sec. 5.14.7), as explained therein.

** Amended effective June 1, 2018

5.1 **Permitted Special Uses** - continued

5.1.2 Procedure*

(a) Application materials may be submitted to the Zoning Office or to a regularly scheduled meeting of the Commission. On determination that the required application is complete, the Commission will schedule a public hearing, publish hearing notices, and file a copy of the notice and application with the Town Clerk as directed by the Connecticut General Statutes.

(b) The Commission shall send a copy of the public hearing notices, by Certified Mail postmarked no later than ten (10) days before the hearing, to each property owner **within 100' of the subject property****, and shall bill the applicant for actual postage and stenographic costs incurred in such mailing. The applicant shall have the right to inspect all cost receipts and invoices, and shall reimburse the Town in full for such costs at the public hearing.

(c) One (1) copy of the application, including all maps, plans and reports, shall be referred within ten (10) days of receipt, by the Commission, to the following Town agencies with a request for an advisory report: Board of Selectman, Conservation Commission, Health Department, Planning Commission. Referral shall also be made to the appropriate regional, state or federal agencies where their jurisdiction is involved, and the Commission may require the applicant to furnish additional copies of application materials to meet these requirements.

(d) Where the Commission approves or modifies and approves a Special Permit application, the applicant shall furnish at the applicant's own expense at least five (5) copies of all maps, plans and other documents suitably amended to state clearly the adopted conditions of approval. A performance bond, with necessary inspection and installation powers, may be required by the Commission where special construction conditions are mandated (see Section 5.2.8).

(e) When the Commission has determined that the requisite conditions of approval for the Special Permit have been satisfied, it shall inscribe its approval on the essential documents and release two (2) copies to the applicant, one (1) of which shall be filed in the Town land records by the applicant as approved by the Statutes.

(f) Master Plan for the HMC Zone. For uses in the HMC Zone requiring a Special Permit, the applicant must first obtain a Special Permit for a master plan showing the proposed development for the entire site addressing all issues identified in Section 5.1.1. The master plan shall identify individual phases of the project. The level of detail normally required for a site plan may be modified by permission of the Commission but shall be sufficiently detailed to permit the Commission to act on the Special Permit application in the same manner as specified by Section 5.1.

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* For prescribed application, notice, hearing, filing and procedural requirements, refer to Connecticut General Statutes Sections 8-3, 8-3a through 8-3d inclusive, 8-7a, 8-7c and 8-7d.

** Amended effective June 1, 2018

5.1 **Permitted Special Uses** -continued

5.1.2 Procedure

(f) continued

1. The master plan, prepared by a licensed engineer or landscape architect, shall be drawn to a convenient decimal scale no smaller than one (1) inch equals 60 feet and shall be based on an A-2 survey of the existing condition of the property. The master plan shall show:
   - Proposed uses, buildings and structures;
   - type and extent of occupancy;
   - pedestrian and vehicular circulation routes and parking;
   - open space;
   - preliminary location of drainage, sewage disposal and water supply systems;
   - preliminary architecture including plans, elevations and perspective sketches;
   - landscaping;
   - zoning data schedule;
   - such other information to permit the Commission to make the findings contained in Section 5.1.3.
   -
2. Within one (1) year after receiving approval of a master plan Special Permit, a detailed site plan meeting the requirements of Section 5.2 shall be submitted to the Commission as a refinement of the master plan. The number of dwelling units, amount of floor area, coverage by building, impervious surface coverage and other significantly land-use in design elements shall be in conformance with the master plan Special Permit. If the detailed site plan is deemed to be different from the master plan, it shall not be approved before the Special Permit is amended pursuant to Section 5.1.6.

5.1.3 Required Findings

Before granting any Special Permit application, the Commission shall determine:

(a) The proposed use is consistent with the purposes of these regulations (Article II).

(b) The location of the site, and the location, nature, size and intensity of the proposed buildings, structures, parking, uses and activities will be in harmony with adjacent areas, and will not impair the residential values or natural environment of the nearby area and of the community.

(c) Parking areas, traffic access, water supply, sewage disposal, stormwater control, fire and police protection, and utility services will be adequate for all proposed uses.

(d) Standards for environmental protection (see Section 5.3) will be fully met.

(e) The specific layout in design of facilities, with any amendments to the site plan specified by the Commission, will meet requirements of these regulations (see Section 5.2.4).

(f) All other standards of these regulations are satisfied.

5.1 **Permitted Special Uses** -continued

5.1.4 Residential Buffer

(a) In addition to meeting all specified standards for the zone in which located (see Section 4.6), buildings, enclosed structures, parking facilities, and satellite parking facilities serving nonresidential uses in R-4, R-2, and R-1 zones shall observe a minimum setback of 100 feet from the nearest lot line of any residential lot. The resultant open space shall be landscaped, buffer planted, or preserved in its natural state as needed for protection of the adjacent area.

(b) Where a particular use has been in continuous existence from before the effective date of these regulations, however, and the Commission finds the lot is not large enough to allow compliance with this requirement, the Commission may reduce the required buffer to not less than the building setback specified by Section 4.6 provided highly effective screening is installed and maintained in the reduced buffer.

5.1.5 Conditions of Approval

The Commission may modify a proposed site plan, or limit proposed uses and activities, or establish other conditions of approval necessary to protect health, safety, convenience, property values or natural environment of the community in granting any Special Permit. Such conditions shall be binding on the applicant and incorporated in all filed plans.

5.1.6 Amendments to Permitted Special Uses

Any use governed by an existing Special Permit may be amended by the Commission through the granting of the new Special Permit, in accordance with the requirements of Section 5.1.1 through 5.1.5 above.

Where the Commission determines that a requested amendment to a Special Permit will be sufficiently minor that there will be no intensification or change in the nature of the use presently authorized, it may waive the requisite public hearing and grant any amendments not otherwise in conflict with these regulations.

5.1.7 Expiration

A Special Permit shall be deemed to authorize only the particular use or uses specified in the permit. The permission given shall expire one (1) year from the date of filing in the Town land records if a Certificate of Zoning Compliance has not been granted for the specified uses by the Zoning Officer, or if the uses cease for any reason for a period of one (1) year or longer.

Where the Commission determines that circumstances justify and substantial work has been completed on the project, however, it may grant one (1) or more extensions totaling not more than 12 months per extension, to 48 months after original approval, for the purpose of completing work required by the approved site plan.

In the PRV and HVC Zones only, the Commission may grant a Special Permit for use to be built in phases. In such instances, all site improvements for all phases shall be completed within a period established by the Commission commencing at the date of approval of the detailed site development plan for the first phase of work. This period shall be determined by the Commission as a part of the master plan Special Permit approval and shall not exceed ten (10) years.

5.1 **Permitted Special Uses** -continued

5.1.8 Failure to Comply with Conditions of Approval

On advice from the Zoning Officer or other evidence that prescribed conditions of any approved Special Permit have not been faithfully observed, the Commission shall immediately direct a certified letter to the responsible parties, ordering that compliance be made with the violated conditions by a specified reasonable date. At the same time the Commission may schedule a public hearing to consider additional evidence and appropriate remedies. Should the Commission find that the cited violations continue after the time specified for correction, or after any extensions granted by the Commission, the Special Permit shall become null and void and the principals shall be subject to the penalties prescribed for violation of these regulations by the Connecticut General Statutes.

5.2 Site Plans, Nonresidential Uses

Within the nonresidential zones (NB, SB, BC, OR, PRV and HVC), and where required by Section 5.1, there shall be no issuance of the zoning permit, or construction, alteration, or enlargement of a building, a structure or a paved area, except in accordance with the site plan approved by the Redding Zoning Commission.

5.2.1 Site Plan Application

Application shall consist of a proposed site plan (as described in 5.2.2), application form and fee as may be prescribed from time to time by the Commission, and supplemental documentation (as described in Section 5.2.3). Submitted plans and documentation shall include nine (9) white print copies of each plan and supporting documents.

5.2.2 Specifications for Site Plan

(a) The site plan shall be prepared from a detailed survey of the property, certified Class A-2, and shall bear the Connecticut registration seals of a surveyor and an engineer, architect or landscape architect. Plan shall be drawn to a convenient decimal scale no smaller than one (1) inch equals 40 feet, and shall show scale, north arrow, date, location with respect to nearby roads, filed surveys by map number in Town land records, names and intersecting boundaries of abutting property owners, and the names and addresses of site owners, prospective developers and operators, and those responsible for preparing the plan. Data to be shown on the site plan shall include:

- Lot lines, lease lines, easements and rights-of-way.
- Existing topography at five (5) feet intervals, or less, for the site and for adjacent land within 100 feet, and proposed contours at two (2) feet intervals for all areas of disturbed terrain.
- Significant existing natural features including streams, ponds, swamps, regulated wetlands, rock outcrops, wooded areas and major trees (30 inches or greater in diameter), clearly identifying all areas and features to be preserved.
- Existing and proposed buildings and structures, indicating exterior wall and eave lines, height and number of stories, floor elevations, and all entrances and exits.

-continues-

5.2 <u>Site Plans, Nonresidential Uses</u> – continued

<u>5.2.2 Specifications for Site Plan</u> -continued

(a) continued

- Proposed use of each building, structure and site area, described in sufficient detail to establish compliance with use limitations of these Regulations.

- Existing and proposed roads, driveways, and parking areas, including all adjacent roadways, showing right-of-way lines, curb lines, pavement lines, sidewalk and pedestrian ways, traffic entrances and exits, parking spaces and access aisles, loading spaces, parking and traffic islands, fences and guardrails, retaining walls, traffic control markings and devices; showing relevant dimensions or details and the types of materials composing each feature (see Section 5.6).

- Existing and proposed storm drainage, based on 50-year storm runoff calculations, showing necessary elevations, sizes and details of pipes, catch basins, manholes, culverts, detention and recharge basins, channels, dikes, dams and related features, and the lines of current and projected annual floods, and projected 50 and 100-year floods (see Section 5.4).

- Proposed erosion and sediment control measures (see Section 5.4).

- Existing well and septic system locations, for the site and adjacent land within 100 feet, and proposed facilities on the site for adequate present and future water supply, fire protection and sewage disposal, including location and design capacity of septic and reserve areas certified by professional engineer and approved by the Town Health Department.

- Existing and proposed utilities, including easements where needed, for electric, telephone, water, gas, and sewer lines, solar collectors and heat pump systems, pad-mounted transformers, water standpipes, sewage holding tanks, fuel tanks, waste bins, mechanical equipment installations such as compressors and cooling towers, broadcasting antennas, equipment storage areas and similar facilities.

- Existing and proposed site lighting and signs, with details of all light fixtures and signs, showing size, height, location and illumination intensity (see Sections 5.3 and 5.9).

- Existing and proposed landscaping, buffer screening, and site planning, in accordance with Section 5.7.

- Elevation drawings of proposed buildings and major structures, showing exterior architectural features such as doors, windows, utility equipment and character of façade materials.

- Approximate areas of the site reserved for future expansion (if any), including future parking and septic areas.

(b) Supplementary plan sheets, detail drawings or schedules may be attached to the site plan where necessary for clarity in showing required data. A signature block indicating "Approved by Redding Zoning Commission" and "Date" shall be provided on each plan, together with a space for necessary notes and written conditions of approval.

5.2 Site Plans, Nonresidential Uses – continued

5.2.3 Review of Plans

The Commission shall review properly submitted site plans at any regular meeting, and approve, modify and approve, or disapprove same in accordance with the standards of Section 5.2.4 and the procedural requirements of the Connecticut General Statutes, Sections 8-3 and 8-7d.

(a) A Public Hearing shall be held by the Commission whenever the site plan application:
- is part of Special Permit application (see Section 5.1); or
- proposes a completely new building or substantial change in use; or
- will result in a 50 percent or greater increase in developed site area or floor area of a building.

(b) The Commission may elect to hold a public hearing in any other instance in which it deems circumstances warrant such action.

5.2.4 Standards for Approval

Site plans shall comprise a layout and facilities designed to protect public health and safety, surrounding property values, and essential natural resources, specifically with respect to:

(a) site size, building and structure placement (see Sections 4.2 – 4.6 inclusive),

(b) water supply and sewage disposal (see Section 5.3),

(c) environmental protection, including controls on hazardous discharges, noise, light, atmospheric emissions, and damage to sensitive natural areas (see Section 5.3),

(d) stormwater and erosion control (see Section 5.4),

(e) accessibility, traffic safety and circulation (see Section 5.6),

(f) parking, loading and pedestrian safety (see Section 5.6),

(g) development features and landscaping (see Section 5.7),

(h) signs and historic structures (see Sections 5.8,5.9), and

(i) all requirements of these regulations, and other Town, State and Federal regulations where they apply. (Refer in particular to Town of Redding Road Regulations, Subdivision Regulations, Inland Wetlands and Watercourses Regulations, State of Connecticut Health Code, Building Code, and Flood Encroachment Lines, and Federal Insurance Administration Flood Hazard mapping (all sources generally available at Town Offices).

5.2 Site Plans, Nonresidential Uses – continued

5.2.5 Final Plan

The Commission shall approve, modify and approve, or disapprove the proposed site plan, as provided by the Connecticut General Statutes (Section 8-3).

Where the Commission's action requires modification or amendment of the site plan, it shall promptly advise the applicant of the required changes.

The final plan, on mylar or similar permanent translucent material, shall be submitted to the Commission within 60 days of its notice to the applicant concerning approval or modification and approval, and shall become a part of the Commission's permanent file. (As built survey is also required; see Section 6.2.)

No permit shall be issued, and no construction activity or new use shall be commenced on any site requiring site plan approval until the final site plan, amended as required by the Commission's decision, has been endorsed with a Commission's approval, and copies have been released to the applicant and the Zoning Enforcement Officer.

5.2.6 Expiration

(a) A site plan approval granted by the Commission shall be deemed to take effect on the date the final plan receives the Commission signature and date of approval, and to expire one (1) year from said date if the project has not received a Certificate of Zoning Compliance from the Zoning Enforcement Officer.

(b) Where circumstances justify and substantial work has been completed on the project, the Commission may grant one (1) or more extensions of the construction period, up to 12 months per extensions, totaling not more than 48 additional months. (Refer to Section 5.1.7 effective date and expiration of Special Permit.)

5.2.7 Enforcement

A determination by the Zoning Enforcement Officer that conditions or requirements of an approved site plan have been violated shall be grounds for immediate enforcement action pursuant to the Connecticut General Statutes and Section 6.8 of these regulations, unless such violations are promptly corrected.

5.2.8 Performance Bond

Where the Commission modifies and approves a proposed site plan, it may require that the applicants post with the Town a performance bond adequate in amount and particulars to assure the proper installation and seasoning of site work required by the modified approval, including such necessary facilities as roads, parking and loading, storm drainage and detention systems, water supply and sewage disposal, dams and retaining walls, site lighting and utilities, earth contouring and regrading, fences and walls, waste disposal areas and monitor Wells, topsoiling and site planting, and erosion and sediment controls.

The bond shall be acceptable in form and surety to the Town, shall grant adequate inspection and installation rights to the Town, and shall additionally provide that in the event of default occurring after a specified completion deadline the Town shall be entitled to call the bond and use the proceeds thereof for completion of the project.

-continues-

5.2 Site Plans, Nonresidential Uses – continued

5.2.8 Performance Bond - continued

The bond may be secured in cash by an instrument assigning collectible funds to the Town, or by an obligation of the surety company acceptable to the Town. The amount of surety provided shall be based on estimated construction cost, plus estimated collection costs to Town in event of default, plus a 15 percent contingency allowance.

The progress and condition of the required work will be reviewed by the Town at mutually pre-determined, specified stages of completion. When each stage is reached, if the Commission finds that the required work has been properly completed it may release a portion of the original surety equal to the percent of estimated construction cost through the stage, excluding however, all collection and contingency allowances. All surety, which remains unreleased at the end of the project shall be held by the Town for one (1) year, and may be called by the Town for use in restoring any work which deteriorates during that period, should the developer fail to properly restore same. Any unused balance of surety shall be released within 30 days following the one (1) year contingency period.

5.2.9 Special Design Standards for Historic Mill Center (HMC) Zone

The following additional information shall be included as part of the application for a Special Permit or site plan in the Historic Mill Center (HMC) Zone in sufficient detail to enable the Commission to make the required findings:

(a) A traffic impact analysis and circulation plan, both vehicular and pedestrian, of the proposed development as set forth in Section 5.6 demonstrating:
- the present level of service at major intersections will not be diminished;
- impact on residential neighborhoods will be minimal; and
- air quality attributable to vehicular emissions will be within the acceptable limits established by the Connecticut Department of Environmental Protection.

(b) Architectural floor plans, elevation and perspective sketches prepared by a licensed Architect demonstrating:
- existing Historic Buildings and/or Historic Structures are being preserved; or
- the exterior design, scale, materials and building height reflect and complement the architectural quality and style of existing buildings in Georgetown.

(c) Landscape plans prepared by a licensed landscape architect pursuant to Section 5.7.

(d) Plans that demonstrate the availability of, and an agreement to provide to the site a water supply system, for both domestic use and fire protection, and a sanitary sewer system, to be completed in accordance with State and Town specifications and regulations, both utilities sufficient to serve the proposed development. If such systems are to be privately owned and operated, the applicant shall also provide for their proper maintenance in accordance with their engineering design, to the satisfaction of the Board of Selectman or such other board or Commission having jurisdiction thereof.

(e) Plans for stormwater management as specified in Section 5.4.4, subsections (a) through (d) inclusive.

5.2 Site Plans, Nonresidential Uses – continued

5.2.9 Special Design Standards for Historic Mill Center (HMC) Zone - continued

(f) Plans for the protection of persons and property from fire. The greater intensity of use, concentration of population, and closer proximity of buildings which may be allowed in the HMC Zone requires that special provisions be made to secure safety from fire, as provided in the Connecticut General Statutes, Section 8-2, and Article II of these regulations. At a minimum such plans shall be based on advisory reports of the local Fire Marshal and/ or the Town Building Official and shall:

- Provide automatic fire suppression capabilities (sprinkler systems) in all units of multiple use buildings, in all two family and multiple family dwellings and in all other nonresidential buildings in excess of 1,000 square feet floor area, in conformity with National Fire Protection Association (NFPA) Standards 13, 13D and 13R.
- Conform to NFPA Standard "Fire Protection in Planned Building Groups, 1985 edition."

(g) Plans for protection of persons and property from flood and other hazardous events.

(h) Other such plans and information that the Commission may request with respect to environmental protection including, without limitation, plans to remedy hazardous waste sites, aquifer recharge, flood control, and solid waste management.

5.3 Environmental Protection Standards

(a) Every use and activity shall be conducted in such manner that it is clearly compatible with the health, safety, welfare and property values of the community.

(b) The standards of Sections 5.3.1 through 5.3.9, following, establish maximum limits for certain potentially harmful activities. Within the prescribed permitted uses for each zone, the standards will be used to determine the acceptability of particular uses at specific sites.

(c) The following standards apply to Zones and are intended to supplement relevant Federal, State and local codes as they apply to the Town of Redding. In event of conflict, the more stringent requirement shall apply.

5.3.1 Deleterious Uses Prohibited

(a) Any use which results in contamination of air, ground, water or the natural environment, beyond the specific limits prescribed below is prohibited.

(b) Any use which is noxious by reason of emission odor, dust, gases, smoke, noise, vibration, light, radiation, or danger of explosive or other physical hazard is prohibited.

5.3 **Environmental Protection Standards** - continued

5.3.2 Hazardous Substances

(a) A hazardous substance is any material which would be potentially toxic to humans or living organisms if released to the environment in a significant quantity. (Examples of hazardous substances include, but are not limited to the following: acids, asbestos, ammonia, chemical wastes, chlorides, cyanides, gasoline and hydrocarbons, heavy metals, herbicides, inks and dies, nitrates, oil, paints and lacquers, pesticides, photographic solutions, phosphates, polychlorinated biphenyls, polychlorinated hydrocarbons, radioactive wastes, resins, sewage sludge, solvents, sulfates, water softener salts. For a more complete list, reference may be made to hazardous substances data available from U.S. Environmental Protection Agency.)

(b) Storage, handling, use, discharge and disposal of hazardous substances is prohibited in all Zones, except to the extent necessary to serve:

- conventional household or residential needs (such as home fuels, cleaners, pesticides, paints, fertilizers, etc.), where limited in quantity to the needs of each family residing on the site, and where storage and use conform to applicable codes

- nonresidential uses, as permitted under these regulations, where storage, use and disposal are in accordance with specifications drawn up by a qualified professional engineer and incorporated with any amendments required by the Commission (see Section 5.2).

- agricultural and silvicultural activities permitted under these regulations, where the use of non-degradable herbicides and pesticides adheres strictly to the State DEP standards as applied to Class AA watersheds. (Generally requires maintenance of Federal EPA standards for safe drinking water. Refer to the Connecticut Water Quality Standards and Criteria, prepared by the State of Connecticut Department of Environmental Protection, Water Compliance Unit, as amended (see in particular, Policy #11 and "Notes," Inland Waters, Class AA).)

(c) In no instance may the discharge of hazardous substances to air, grounds, or water exceed the allowable limits established and administered by the State of Connecticut Department of Environmental Protection, by the State Health Code, and by any applicable Town code or ordinance. (Refer to State of Connecticut Public Health Code, as amended.)

(d) All storage and transfer of hazardous substances shall be in properly insulated and protected containers or enclosures, designed to prevent discharges to ground or water and approved for safety and reliability by each Town official exercising jurisdiction, such as Building Inspector, Sanitarian, and Fire Marshal.

5.3 **Environmental Protection Standards** - continued

5.3.3 Water Pollution

(a) Water pollution consists of contaminating or degrading any surface water or groundwater, so that such water is rendered unsuitable for human consumption or substantially impaired in quality for domestic use beyond the immediate vicinity of any discharge. (Refer to Connecticut General Statutes, Sections 22a to 36 and 25 – 54a - xx. Under State law various pollution control responsibilities are delegated to local inland wetlands and health agencies (in Redding, the Conservation Commission and the Health Department). All activities must comply with these standards as well.

(b) Uses and activities tending to create pollution of surface or ground waters are prohibited in all Zones. Direct discharge of pollutants to streams or watercourses is prohibited.

(c) Systems for the storage, treatment or disposal of sewage and other wastes shall be in full compliance with adopted State of Connecticut Water Quality Standards and the requirements of the State Health Code. (Refer to State of Connecticut Public Health Code, as amended.)

(d) No hazardous substance (see Section 5.3.2) or other non-degradable waste shall be discharged to ground or water within 150 feet of any water supply well or surface stream (perennial or seasonal), nor within 50 feet of any regulated wetlands or stratified drift aquifer, except as follows:

- road de-icing chemicals as necessary for safety, on State, Town and privately-maintained roads.

- essential agricultural fertilizers and pesticides, where applied in accordance with standards approved by the Town Health Department.

- sewage treatment or landfill facilities approved and regulated by the State Department of Environmental Protection.

Maps showing stratified drift aquifers and regulated wetlands are available for inspection at the Town Hall.

(e) Catch basins and other receptacles receiving stormwater flow from paved roadways or parking lots shall be designed to trap and retain heavier than water sediments. The last catch basin or manhole receiving drainage on the site or road shall also trap and retain lighter-than-water emulsions and oils. All catch basins and manholes shall have cleanout features and shall be maintained regularly to prevent discharge of foreign materials to surface or groundwater. (Catch basins on existing Town and State roads shall be exempt from this requirement.)

5.3 **Environmental Protection Standards** - continued

5.3.4 Atmospheric Pollution

(a) The discharge of odors, gases, vapors, heat, smoke, dust, particles or other waste materials to the atmosphere, in excess of the standards given below, or in such quantity as to be noxious or to create a risk of injury to health of persons on or off the premises is prohibited.

(b) In reviewing the site plan for any nonresidential use, the Commission may require certification by a professional engineer that the proposed use will comply substantially with both emission and ambient air standards administered by the Connecticut Department of Environmental Protection.

(c) Offensive odors shall not be allowed to emanate from the premises, nor exceed the order threshold standards established by the “Air Pollution Abatement Manual,” as published and revised by the Manufacturing Chemist Association, Inc., Washington D.C. (latest copyright Edition), when measured at the exterior perimeter line of the source building or structure.

(d) Smoke and other contaminants discharged to the atmosphere shall not exceed allowable emission standards established by the "Connecticut Regulations for Abatement of Air Pollution,” as administered by the State Commissioner of Environmental Protection pursuant to State Statute (Title 22a-174).

(e) Particulate matter, flying dust, soil, ash, soot and other airborne debris shall be confined to the immediate locus of its origin through the use of stack precipitators, screens, windbreaks, water sprinklers, or other measures acceptable to the Zoning Enforcement Officer. Wood-burning home heating systems, if properly maintained, shall be exempt from this requirement.

(f) Heat emission, from mechanical or other man-made sources on site, shall not result in an increase in atmospheric temperature by more than two (2) degrees Fahrenheit along any adjoining lot line.

(g) Toxic gases and vapors, if discharged to the atmosphere from a stationery source, shall comply with applicable State of Connecticut ambient air standards at all points beyond 50 feet from the point of discharge.

5.3.5 Reserved for Future Use.

5.3 <u>Environmental Protection Standards</u> - continued

<u>5.3.6 Light Intensity</u>

(a) Control of exterior illumination to assure safety, prevent glare, and protect the privacy of adjoining property is required of all uses.

(b) Excessive emanation of light beyond the boundaries of a lot, whether direct or reflected, is not permitted. Light intensity, duration, and direction shall be limited to the minimum necessary: for safe ground level illumination of roads, walks, and parking areas; for low intensity illumination of buildings, signs and landscaped areas; and for confined illumination of outdoor recreation areas.

(c) The following uses of light are prohibited in all Zones:

- unshielded light sources, such as exposed bulbs, in excess of 500 lumens output. (Higher intensity lighting is permissible where opaque shades or translucent screens prevent visibility of the light source from adjacent premises and from any street, pedestrian walk or parking area accessible to the general public. Intensity of 500 lumens is approximately equivalent to the light output of a standard unshielded 40 watt incandescent bulb.)

- directed beam or focused light fixtures (such as spotlights and floodlights) except where surrounded by an opaque shield and directed to the nearest adjacent surface (such as a building, tennis court, road, or sign) in a manner such that the source of illumination is not directly visible to an observer at a distance of 25 feet or more.

- lighting employed primarily for advertising purposes, including all forms of neon, flashing and animated lights, sky-beams, and outdoor merchandising flood lighting.

- highly reflective building and sign surfaces which act as mirrors to redirect most light and images back to an observer at a distance of 25 feet or more.

- high-intensity light fixtures, more than 20 feet above ground level, designed to cast broad illumination over extensive site areas, except as permitted under subsection (h).

- any light which casts direct illumination onto an adjacent property without that owner's explicit permission.

5.3 **Environmental Protection Standards** - continued

5.3.6 **Light Intensity** - continued

(d) All light fixtures shall be designed to illuminate specific surfaces only, and enclosed, shielded or fitted with translucent covers which control intensity and focus illumination on the lighted surface without glare from any angle.

Unless specifically approved by the Commission for good reason, based on the lighting engineer's recommendations and adequate screening, direct surface illumination levels shall not exceed the following values as measured by standard light meter in foot candles (lumens/square foot):

	MAXIMUM LUMENS/SQUARE FOOT
Residential Zone, parking lot	10
Non-residential Zone, parking & pedestrian walk	20
Outdoor recreation courts and fields	100
Sign, indirectly illuminated	50
Commercial site, activity area	40

(e) Lights mounted on buildings shall be placed below the eave line, properly shielded, and directed downward at a maximum illumination angle of 45 degrees from vertical.

(f) Freestanding light standards in Residential zones shall be limited to a maximum height of 12 feet above ground level at the base, and shall observe a minimum setback of 15 feet from all side and rear lot lines.

(g) Illumination within buildings shall meet the standards of this Section, or be suitably screened, whenever light is permitted to emanate from a building to exterior site areas.

(h) The standards of this Section shall not apply to necessary traffic signals, to public streetlighting, to temporary safety illumination for emergencies or for special public events, and to customary lighting for seasonal civic observances, such as lighting Christmas trees; nor to public recreation facilities where the Commission determines that objectives of this Section will be met.

(i) Required site plans (Section 5.2) shall show details of all proposed site lighting, including location, height above ground, type of fixture, intensity and lumens at source and lighted surface, hours of operation, and a diagram at scale illustrating that the height of fixture and angle of cut-off will prevent visibility of the light source from adjacent residential property. Where necessary to protect nearby residential or environmental values, the Commission may limit freestanding lights standards to 48 inch "mushroom shade" types, may require greater setbacks for fixtures and more effective screening, and may limit hours of operation for lights.

The Commission may require additional evaluation from a lighting engineer where necessary, and shall impose restrictions as required to protect public safety and nearby property values.

5.3 Environmental Protection Standards - continued

5.3.7 Radiation and Electromagnetic Interferences

(a) The handling, storage, use, dissemination and disposal of materials which contain levels of radioactivity within the meaning of "hazardous waste," as defined by the State Commissioner of Environmental Protection under Section 19-25b of the General Statutes, is prohibited.

(b) Uses and activities which typically create chronic electromagnetic interferences with normal radio or television reception in the nearby vicinity are prohibited. (Refer to standards of Federal Communications Commission, with respect to broadcast interference criteria.)

5.3.8 Explosives and Flammables

(a) Uses which routinely store, use, process or disseminate materials which are highly flammable, explosive or otherwise unstable under normal atmospheric conditions shall not be permitted except where proper venting and other safety precautions have been established to the full satisfaction of the Building Inspector, the Fire Marshall, and the Zoning Commission.

(b) Where any use involving higher risk of fire or explosion is permitted, such as gasoline stations or fuel depots, the site plan shall require safe avenues of escape for personnel and effective access for fire apparatus at all times.

5.3.9 Neighborhood Health, Safety and Property Values

(a) The exterior portions of all premises, where visible from adjacent street and lot lines, shall be maintained in orderly, well-planned (or naturally vegetative) condition. As herein used, "orderly" means free from trash, junk and derelict or abandoned personal property.

(b) Outdoor storage areas for goods or personal property, occupying 500 or more square feet of total ground area, shall be densely screened from view from all property lines at every season (see Section 5.7).

(c) Outdoor, above-ground mechanical and utility fixtures, occupying two (2) or more square feet of ground area each, such as fuel tanks, trash bins, pump enclosures, incinerators, compressors, generators, and pad-mounted transformers, shall comply with the setbacks specified for accessory structures (see Section 3.7 and 3.13).

(d) Maintenance of the following conditions is prohibited in all zones:
- Exterior storage or deposit of: junk, unenclosed trash and garbage, animal waste heaps, scrap metal and scrap lumber piles, inoperable equipment or appliances. See definitions of "Junk" and "Junk Yard," Section 8.1.113.
- Any structure, within a specified building setback area, which threatens public safety or an adjacent property line by reason of imminent danger of collapse onto a roadway or adjacent property, as determined by the Town Building Inspector.
- Except as controlled by Sections 5.4 and 5.5, earthen slopes, banks or pits in danger of landslide or property damaging erosion.

Municipal landfills operated by the Town of Redding are exempt from the requirements of 5.3.9.

5.4 Erosion and Stormwater Control

(Section 5.4 was revised May 9, 2018; effective June 1, 2018)

All uses shall make proper provision for control of erosion, sedimentation and stormwater, in particular to:

(a) minimize soil loss and sedimentation due to the effects of wind, water, ice and construction activity;

(b) preserve the stability, fertility, and vegetation cover of unpaved site areas;

(c) control stormwater discharge to prevent flooding and the scouring and siltation of watercourses;

(d) conserve water tables through adequate on-site stormwater recharge; and

(e) protect lives and facilities from the effects of major floods.

5.4.1 Protection and Restoration of Natural Cover

(a) Regrading of land for intensive use (such as buildings, structures, and paving) shall be limited to the minimum area necessary for such facilities.

(b) During construction, boundaries of the necessary grading area shall be posted with markers and the remaining site area protected from disturbance.

(c) Natural vegetation on the site shall be preserved wherever possible. All disturbed terrain shall be re-graded and restored to a thoroughly planted condition (grass, ground cover or other approved materials) at the earliest feasible time (see Section 5.5).

5.4.2 Control of Erosion

(a) Wherever land is disturbed or soil is exposed to potential erosion by wind or water, both temporary and permanent measures shall be taken to minimize erosion and prevent the discharge of silt to waterways and adjacent properties.

(b) Temporary measures shall be in place immediately after earth disturbance, and may include mulching, hay bale dams, mats, terracing, traffic prohibition, temporary re-vegetation and other methods effective until permanent stabilization occurs.

(c) Permanent measures shall be completed as quickly as possible, and may include permanent vegetative cover, terracing, drainage diversion stormwater impoundments, energy dissipators, grass or rip-rapped swales and other measures which conform to good engineering practice.

(d) Streams shall not be channeled in such a manner that excessive velocity would result. Where open drainage courses are created, or construction affects an existing watercourse, banks shall be protected by rip-rap, planting, or other means effective in controlling erosion. (Activities involving wetlands and watercourses are subject to the Town Inland/Wetland and Watercourse Regulations, and require approval by the Town Conservation Commission. See "Definitions," Sections 8.1.55, 8.1.105, 8.1.280, 8.1.285.)

(e) Control of erosion shall be consistent with the 2002 DEEP "Connecticut Guidelines for Soil Erosion and Sediment Control"; DEEP Bulletin 34.

5.4 Erosion and Stormwater Control – continued

5.4.3 Stormwater Detention and Recharge

(a) Stormwater runoff from buildings and paved, impervious or other intensely developed areas (such as driveways, terraces, tennis courts, storage yards) on the site shall not be discharged directly to watercourses or public roads, but shall be collected and detained on the site to accomplish:
- recharge of the natural water tables through ground infiltration of collected stormwater equal to such infiltration before site development;
- gradual release of any surplus runoff to watercourses at a rate not exceeding the predevelopment peak runoff rate (for equivalent storms);
- purification of such runoff by detention facilities designed to trap sediment and debris; and
- where feasible, creating water storage basins accessible and usable for firefighting, flood control and irrigation purposes.

(b) A reasonable estimate of needed detention capacity, accepted by the responsible Commission or by the Zoning Enforcement Officer, shall suffice for projects involving less than 1,000 square feet in aggregate impervious area per site. All other projects shall require detention and recharge facilities designed to accommodate a 50-year frequency storm in conformance with good engineering practice or Town specifications.

(c) Stormwater management will be consistent with the 2004 DEEP "Connecticut Stormwater Quality Manual", except the Commission or its designated agent may consider substitution of Low Impact Development (LID) measures consistent with industry standards.

5.4.4 Plan and Certification Required

An erosion and stormwater control plan**,** in accordance with Section 5.4.4.1**,** shall accompany each of the following applications, and require certification by the indicated agency **or** agent of that agency (Pursuant to Connecticut General Statutes 22a-328**.** A single-family dwelling which is not in the subdivision is, however, by provision of the cited statute, exempt from required submission of such plan.

(a) Site Plan (Section 5.2, Zoning Commission)

(b) Land clearing and re-grading plan (Sections 5.5.3 - 5.5.7, Zoning Commission)

(c) Any other application which proposes disturbance of more than one-half (½) acre (21,780 square feet) of site areas such as:
- Land management plan (Section 5.14, Zoning Commission).
- Zoning permit plot plan (Section 6.2, Zoning Commission).
- Subdivision plan (Planning Commission).
- Regulated activities plan (Conservation Commission)

5.4 Erosion and Stormwater Control – continued
5.4.4 Plan and Certification Required - continued

5.4.4.1 Erosion and Stormwater Control Plan

An erosion and stormwater control plan shall be designed to meet objectives (a) through (e) above (preamble to this Section), and shall conform to the following:

The plan shall consist of:

(a) A typewritten narrative, signed by the applicant(s), which describes the area and location of the site, site owner(s) and project principals, adjacent owners, proposed construction, starting and completion dates, sequence of each construction and grading activity, designed basis and installation schedule for attendant erosion and sediment control measures (Section 5.4.3), pre-development and post-development stormwater flows and planned detention (Section 5.4.4), proposed bond, planned permanent maintenance program, and specific authorization to the Town of Redding to enter the site for continuing inspection purposes.

(b) An erosion and stormwater control plan map, by a registered engineer or surveyor, at the same scale as other application plan maps, which shows site location and boundaries, existing topography (five (5) foot contour intervals), proposed topography at two (2) foot contour intervals, soil types with locations of wetlands and watercourses, existing vegetation and proposed clearing, existing and proposed structures, location of phased construction work (including stockpiles, construction roads and staging areas), location and design details for all the erosion and sediment control measures, location and design details for all proposed stormwater drainage and detention facilities, a planting plan for both immediate and permanent sites stabilization, and notes which identify project principles and the scheduling sequence for all construction and erosion control work.

(c) Any other information necessary to explain the work or satisfy the requirements of these Regulations.

5.4.4.2 Plan Review and Approval

(a) Any erosion and stormwater control plan submitted pursuant to Section 5.4.4 may be reviewed by a technical expert retained by the Commission or their agent at the expense of the applicant.

(b) The Commission or its designated agent may refer the plan to any other local, state or federal agency for their findings and recommendations.

(c) Nothing in this Section shall be construed as extending the time limits for actions on any application under Chapter 124 or 126 of the Connecticut General Statutes.

(d) The Commission or its designated agent may require as a condition of approval that the applicant/developer post a performance bond in favor of the town in form, content and amount satisfactory to the Commission or its agent.

5.4 Erosion and Stormwater Control – continued

5.4.4 Plan and Certification Required - continued

5.4.4.3 Implementation

(a) It shall be the responsibility of the developer to:
-Implement the approved plan or any revision thereto,
-Install the erosion and sediment control measures and facilities as scheduled and as shown on the approved plan prior to the commencement of any site development activities except as may be required to implement the plan,
-Maintain the plan measures and facilities in effective condition to ensure Compliance with the approved plan.

(b) Inspections shall be made by the Commission or its agent during development to ensure compliance with the approved plan and that control measures and facilities are properly performed or installed and maintained.

(c) The Commission or its agent may require the permittee to:
-Verify through progress reports and "as-built" surveys that soil erosion and sediment control measures and facilities have been performed or installed according to the approved plan and are being operated and properly maintained, or,
-Retain an inspector who is a Certified Professional in Erosion and Sediment control (CPESC) or other qualified professional to inspect the development activity and to file periodic reports with the Zoning Office.

(d) The Commission or its agent is hereby authorized to withhold the issuance of zoning permits or certificates of zoning compliance unless, in its judgement, all provisions of Section 5.4 are complied with.

5.4.5 Flood Safety

5.4.5.1 Statutory Authorization, Finding of Fact, Purpose & Objectives

1.1 Statutory Authorization. In Section 8.2 of the Connecticut General Statutes, the Legislature of the State of Connecticut delegates to local government units the responsibility to promote public health, safety, in the general welfare of its citizenry. Therefore, the Zoning Commission of the Town of Redding does ordain as follows:

1.2 Findings of Fact.

The flood hazard areas of Redding are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and government services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.1 Statutory Authorization, Finding of Fact, Purpose & Objectives - continued

These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard area by uses is vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise unprotected from flood damage.

1.3 Statement of Purpose. It is the purpose of this Regulation to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(a) restrict and prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards or which results in damaging increases in the erosion or in flood heights or velocities;

(b) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(c) control the alteration of natural floodplains, stream channels, it's natural protected barriers which are involved in the accommodation of flood waters;

(d) control filling, grading, dredging and other development which may increase erosion or flood damage; and

(e) present or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

1.4 Objectives. The objectives of this Section of the regulations are:

(a) to protect human life and health;

(b) to minimize expenditure of public money for costly flood control projects;

(c) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(d) to minimize prolonged business interruptions;

(e) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(f) to help maintain a stable tax base by providing for the sound use and development of flood prone area in such a manner as to minimize flood blight areas; and

(g) to ensure that potential home buyers are notified that property is in the flood hazard area.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.2 Definitions.

Unless specifically defined below, words and phrases used in this Section shall be interpreted so as to give them the meaning they have in common usage and to give this Section its most reasonable application.

2.0 Aboveground Storage Tanks – Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or must be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for infiltration of flood water.

2.1 Accessory Structure - As defined in Section 8.1.10 of these regulations.

2.2 Addition (to an existing building) - Means any walled and roofed expansion to the perimeter of a building in which the addition is connected a common load-bearing wall other than a firewall. Any walled and roofed addition which is connected by a firewall or is separated by independent perimeter load-bearing walls is new construction.

2.3 Appeal - Either (a) a request for a review of the Zoning Enforcement Officer's decision relative to the provisions of this Section or (b) a request for a variance from the requirements of this Section.

2.4 Base Flood - The flood having a one (1) percent chance of being equaled or exceeded in any given year.

2.4.1 - Base Flood Elevation (BFE) – The elevation of the crest of the base flood (100-year flood), The height in relation to mean sea level (NAVD of 1988) expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

2.5 Basement - That portion of the building having its floor subgrade (below ground level) on all sides.

2.6 Building - As defined in Section 8.1.26 of these regulations.

2.6.1 - Compensatory Storage - The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in the footprint of the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from the adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.2 Definitions - continued

2.6.11 Cost – As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractors overhead; contractors profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds and gazebos.

2.7 Development – Any man-made change to improved or unimproved real estate, including but not limited to, the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or excavation of materials; and installation, repair or removal of public or private sewage disposal systems or water supply facilities located within the area of special flood hazard.

2.8 Elevated Building - A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls as allowed under applicable standards.

2.8.22 Equal Conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction, or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way as to cause an increase in flood stage or flood velocity.

2.8.1 Existing Manufactured Home or Subdivision – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date, February 1, 1986, of the floodplain management ordinance adopted by the community.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.2 Definitions - continued

2.8.2 - Expansion to an Existing Manufactured Home Park or Subdivision – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes (including the installation of utilities, the construction of streets, and either final site grading or pouring of concrete pads).

2.8.11 Finished Living Space – As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

2.9 Flood or Flooding - A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulation of runoff surface waters from any source.

2.9.1 Federal Emergency Management Agency (FEMA) – The federal agency that administers the National Flood Insurance Program (NFIP).

2.10 Flood Boundary and Floodway Map - An official map of the community on which the Federal Emergency Management Agency has delineated the boundaries of the floodway.

2.11 Flood Hazard Boundary Map (FHBM) - An official map of the community on which the Federal Emergency Management Agency has delineated the special flood hazard areas and defined them as "A" zones.

2.12 Flood Insurance Rate Map (FIRM - An official map of the community on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the applicable risk premium zones. FIRMs published after January 1990 may also show the boundaries of the floodway.

2.13 Flood Insurance Study - The official report by the Federal Emergency Management Agency. The report contains flood profiles, the water surface elevation of the base flood, and other flood data.

2.14 Floodway - The channel of a river or other watercourse in the adjacent land areas that must be preserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

2.15 Floor - The top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in a woodframe construction. The term does not include the floor of a garage used solely for parking of vehicles.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.2 Definitions - continued

2.15.1 Functionally Dependent Use or Facility – A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long term storage, manufacturing, sales or service facilities.

2.16 Highest Adjacent Grade - The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

2.16.1 Historic Structure – Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to historic significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

2.17 Lowest Floor - The lowest floor of the lowest enclosed area (including basement).

2.18 Manufactured Home - A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. Recreational vehicles and similar transportable structures placed on a site for 180 consecutive days or longer shall be considered manufactured homes for the purpose of this Section.

2.18.1 Manufactured Home Park or Subdivision – A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

2.18.2 Market Value – The value of the structure shall be determined by the appraised value of the structure, using the square foot method, prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

2.19 Mean Sea Level – Means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

2.20 New Construction - Structures for which the "start of construction" commenced on or after February 1, 1986 and includes all subsequent improvements to such structures.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.2 Definitions - continued

2.20.1 New Manufacturing Home Park or Subdivision – A manufactured home park or subdivision for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date, February 1, 1986, of the floodplain management regulation adopted by the community.

2.20.2 No Structures Entirely or Partially Over Water – New Construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely over water unless it is a functionally dependent use or facility.

2.20.3 Portion of Structure in Flood Zone – If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks and porches that extend into a more restrictive flood zone will require the entire structure to meet standards of the more restrictive zone.

2.21 Recreational Vehicle - As defined in Section 8.1.190 of these regulations.
Additionally, a vehicle which is: (a) built on a single chassis; (b) four-hundred (400) square feet or less when measured at largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel or seasonal use.

2.22 Special Flood Hazard Area - The area within a community subject to one percent or greater chance of flooding in any giving year, as identified on the community's FIRM.

2.23 Start of Construction - Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. Should the permittee fail to commence work within this time frame, a new permit shall be required. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.2 Definitions - continued

2.24 Structure - A walled and roofed building that is principally above ground, a manufactured home, or a gas or liquid storage tank.

2.25 Substantial Damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

2.26 Substantial Improvement - Any combination of repairs, reconstruction, alteration, or improvements to a structure taking place in which the cumulative cost equals or exceeds 50 percent of the market value of the structure. The market value of the structure should be: (1) the appraised value of the structure using the square foot method prior to the start of the initial repair or improvement; or (2) in the case of damage, the value of the structure prior to damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include any improvement project required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

2.26.1 Structures in Two Flood Zones – If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e: V Zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

2.27 Variance - A grant of relief from the requirements of these Regulations which permits construction in a manner otherwise prohibited by this Section where specific hardship shall be based on the unusual physical characteristics of the property in question which are not shared by adjacent parcels; hardship shall not be based on the structure or economic or personal hardships.

2.27.1 Violation – A failure of a structure or other development to be fully compliant with the community's floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

2.28 Water Surface Elevation – The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified) of floods or various magnitudes and frequencies in the floodplains or coastal or riverine areas.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.3 General Provisions

3.1 Land to Which this Section Applies

This Section shall apply to all Special Flood Hazard Areas within the jurisdiction of the Town of Redding.

3.2 Basis for Establishing the Special Flood Hazard Area

The Special Flood Hazard Area identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated June 18, 2010, and accompanying Flood Insurance Rate Map (FIRM), dated June 18, 2010, and other supporting data applicable to the Town of Redding, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this Regulation. Since mapping is legally adopted by reference into this Regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The Special Flood Hazard Areas include any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. Special Flood Hazard Areas are determined by utilizing the base flood elevations (BFE) provided on the flood profiles in the FIS for a community. BFE's provided on a FIRM are only approximate (rounded up or down) and should be verified with BFEs published in the FIS for a specific location.

3.3 Establishment of the floodplain Management Section of the Zoning Permit.

The applicable Sections of the Zoning Permit must be completed in conformance with the provisions of this Section prior to the commencement of any development activities.

3.4 Compliance

No structure or land shall hereafter be located, extended, converted, modified or structurally altered without full compliance with the terms of this Section and other applicable regulations.

3.5 Abrogation and Greater Restrictions

This Section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions, where this Section and another conflict or overlap, whichever imposes the more stringent restriction will prevail.

3.6 Interpretation

In the interpretation and application of this Section all provisions shall be (1) considered as minimum requirements, (2) liberally construed in favor of the governing body, and (3) deemed neither to limit nor repeal any other powers granted under State Statute.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.3 General Provisions - continued

3.7 Warning and Disclaimer of Liability

The degree of flood protection required by this Section is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This Section does not imply that land outside the Special Flood Hazard Area or uses permitted within such areas will be free from flooding or flood damage. This Section shall not create liability on the part of the Town of Redding or any officer or employee thereof for any flood damages that result from reliance on this Section or any other administrative decision lawfully made thereunder.

5.4.5.4 Administration

4.1 Designation of Administrator

The Zoning Enforcement Office is hereby appointed to administer and implement the provisions of this Section.

4.2 Certification

Where required under this Section, a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Section. Such certification must be provided to the Zoning Enforcement Officer.

4.3 Permit Procedures

Prior to any development activities, application for a zoning permit shall be made to the Zoning Enforcement Officer on forms furnished by him/her. Such application shall be accompanied by two sets of plans drawn to scale, showing, at a minimum, the property lines in location of the parcel; existing and proposed contours; existing and proposed structures; fill; storage of materials, drainage facilities, and the location of the foregoing. The following information shall also be submitted to the Zoning Enforcement Officer:

(a) elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;

(b) elevation in relation to mean sea level to which any non-residential structure will be flood proofed;

(c) description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;

(d) a statement as to whether or not the proposed alterations to any existing structure meets the criteria of the substantial improvement definition (5.4.5.2, 2.26);

-continues-

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.4 Administration - 4.3 Permit Procedures - continued

(e) a statement as to whether there will be dry vehicular access to residential structures during the 100-year storm event; and

(f) certification as to use of flood proofing for non-residential structures.

Upon completion of the applicable portion of construction, the applicant shall provide the Zoning Enforcement Officer with verification of the as built lowest floor elevation, defined as the top of the lowest floor (including basement) or, in the case of floodproofed buildings, the elevation to which the floodproofing is effective.

Deficiencies in the lowest floor elevation shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit an acceptable survey or failure to make corrections required hereby shall be cause for an issuance of a stop work order.

4.4 Duties and Responsibilities of Zoning Enforcement Officer ("ZEO")
In the administration of this Section, the ZEO shall perform the following duties, among others:

(a) review all permit applications to determine whether proposed building sites will be reasonably safe from flooding;

(b) review all development permits to assure that the requirements of this Section have been satisfied;

(c) advise permittee that additional Federal or State permit requirements are known and require that copies of such permits be provided and maintained on file in the Town Zoning Department. Such additional permit requirements may include, but are not limited to: Stream Channel Encroachment Line Permit, Coastal Area Management Permit, Water Diversion Permit, Dam Safety Permit, Corps of Engineers 401 and 404 Permits;

(d) notify the Regional Planning Agency in the affected municipality at least 35 days prior to the Public Hearing if any change of regulation or use of a flood zone will affect an area within 500 feet of another municipality;

(e) notify adjacent communities and the Department of Environmental Protection Inland Water Resources Division prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA;

(f) assure that maintenance is provided within the altered or relocated portion of said watercourse so that the Flood carrying capacity is not diminished;

-continues-

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.4 Administration - 4.4 Duties and Responsibilities of Zoning Enforcement Officer ("ZEO") - continued

(g) make the necessary interpretation, where needed, as to the exact location of boundaries of Special Flood Hazard Areas (for example, where there appears to be a conflict between a map boundary and actual field conditions). The person contesting the location of the boundary shall be given reasonable opportunity to appeal the interpretation as provided by these regulations;

(h) require the applicant to provide base flood elevation data for all proposed development (including subdivisions) which are five (5) acres or 50 lots, whichever occurs first, and are located in Zone A';

(i) obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source including data developed pursuant to Section 4.4 (h) of this Section in order to administer the provisions of Section 5.3, when base flood elevation data or floodway data have not been provided in accordance with Section 3.2.

During construction, the ZEO shall be responsible for these additional duties:

(j) record the as-built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction or substantially improved structures in accordance with these Regulations;

(k) record the elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood proofed, in accordance with these regulations;

(l) maintain all records pertaining to the provisions of this Section; and

(m) require that a note be recorded on the land records indicating that the parcel is subject to the 100 year flood.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.5 Provisions for Flood Hazard Reduction

5.1 General Standards

In all Special Flood Hazard Areas, the following provisions shall apply:

(a) new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy;

(b) new construction and substantial improvements shall be constructed with materials resistant to flood damage;

(c) new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(d) electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during condition of flooding;

(e) new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(f) new and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharged from the system into flood waters;

(g) on-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

(h) in any portion of a watercourse which is altered or relocated, the flood carrying capacity shall be maintained;

(i) accessory structures (as defined herein) shall be subject to all the standards of Section (a) and (b) and all standards of Section (c) as applicable. At the discretion of the ZEO, accessory structures may also be required to meet the standards of Sections 5.3.a – 5.3.e;

(j) manufactured homes are prohibited in all Special Flood Hazard Areas, this includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood; and

(k) recreational vehicles are prohibited in all Special Flood Hazard Areas.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.5 Provisions for Flood Hazard Reduction - continued

5.2 Standards for Stream Without Established Base Flood Elevations, Floodways and/or Flood Mapping.

(a) The ZEO shall obtain, review and reasonably utilize any base flood elevation in floodway data available from a Federal, State, or other source, including data developed pursuant to Section 6.4 of this Section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FIRM meets the standards in Section 5.3.

(b) Base flood elevation data shall be provided with any application for activity in A Zone or applications for new construction and/or substantial improvements in A Zones.

(c) In A Zones where base flood elevations have been determined, but before the floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one (1) foot any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.

(d) The ZEO may request floodway data of an application for watercourses without FEMA published floodways. When such data is provided by an applicant or whenever such data is available from any other source, the Town shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water service elevation more than one (1) foot at any point along the watercourse.

(e) The ZEO shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, as criteria for requiring that new construction, substantial improvements, or other development in any area of potential demonstrable or historical flooding within the community meet the standards in Section 5.3.

5.3 Specific Standards

In all Special Flood Hazard Areas A and AE, the following provisions shall apply in addition to all general standards contained in Section 5.1.

(a) Residential Construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at least to two (2) feet above the base flood elevation.

5.4 <u>Erosion and Stormwater Control</u> – continued

<u>5.4.5 Flood Safety</u>

5.4.5.5 <u>Provisions for Flood Hazard Reduction</u> – 5.3 Specific Standards - continued

(b) Non-Residential Construction.

- New construction or substantial improvement of any commercial, industrial, or nonresidential structure located in Zone A or AE shall have the lowest floor, including basement, elevated at least to two (2) feet above the level of the base flood elevation; or
- Nonresidential structures located in the Zone A or AE may be floodproofed in lieu of being elevated provided that together with all attended utilities and sanitary facilities, the areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads in the effect of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for reading the provisions of this subsection. Such certification shall be provided to the ZEO.

(c) Floodways. Located within Special Flood Hazard Areas established in General Provisions Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and have erosion potential, no encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments shall not result in any (0.0 feet) increase in the flood levels during occurrence of the base flood discharge. Fences located in the floodway must be aligned with the flow and be of an open design.

A permit may be given which allows encroachments resulting in increase in base flood elevations provided the community first obtains a conditional floodway revision be meeting the requirements of C.F.R. 44, Chapter 1, Subsection 65-12.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.6 Variances

(a) The Zoning Board of Appeals ("ZBA") shall hear and decide appeals and requests for variances from the requirements of this Section.

(b) The ZBA shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the ZEO and in the enforcement and administration of this Section.

(c) Any persons aggrieved by the decision of the ZBA or any person owning land which abuts or is within a radius of 100 feet of the land in question may appeal within 15 days after such decision to the State Superior Court as provided in Section 8-8 of the Connecticut General Statutes.

(d) Specific Situation Variances:

- Buildings on an Historic Register. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places without regard to the procedures set forth in the remainder of this Section and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical designation.

- Pre-existing, Small lot location. Variances may be issued by a community for new construction and substantial improvements to be erected on a lot of one-half (½) acre or less in size which is contiguous to, and surrounded by, lots with existing structures constructed below the base flood level in conformance with Section "f" herein.

- Functionally-Dependent Uses. Variances may be issued for new construction and substantial improvements and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to public safety, and meets the requirements of Section "f" herein.

- Floodway Prohibition. Variances shall not be issued within any designated floodway if any increase in flood levels during base flood discharge would result.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.6 Variances - continued

(e) Consideration for Granting of Variances.
In passing upon such application, the ZBA shall consider all technical evaluations, all relevant factors, all standards specified in other sections of these regulations and the items listed below. The time consideration of these factors in the purposes of this Section, the ZBA may attach such conditions to the granting of the variances as it deems necessary to further the purpose of this Section:

- the danger that materials may be swept onto other lands to the injury of others;
- the danger to life and property due to flooding or erosion damage;
- the susceptibility of the proposed facility and its contents to flood damage in the effect of such damage on the individual owner;
- the importance of the services provided by the proposed facility to the community;
- the necessity of the facility to waterfront location, in the case of a functionally dependent facility;
- the availability of alternative locations which are not subject to flooding or erosion damage for the proposed use;
- the compatibility of the proposed use with existing and anticipated development;
- the relation of the proposed use to the comprehensive plan and floodplain management program for that area;
- the safety of access to the property in times of flood for ordinary and emergency vehicles;
- the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters in the effects of wave action, if applicable, expected on-site; and
- the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

5.4 Erosion and Stormwater Control – continued

5.4.5 Flood Safety

5.4.5.6 Variances - continued

(f) Criteria for Variances.

- Variances shall be issued upon a determination that the variance is the minimum necessary, considering the Flood Hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and result in the loss of historic designation of the building.

- Variances may only be issued upon: 1) a showing of good and sufficient cause; 2) a determination that failure to grant the variance would result in exceptional hardship; and 3) a determination that the granting of a variance will not result in increased flood heights, additional threat to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. Only hardships which are based on unusual physical characteristics of the property in question, characteristics which are not shared by adjacent parcels, shall qualify to meet subsection (2) above. Claims of hardship based on the structure, on economic hardship based on the structure, on economic or on personal circumstances are not sufficient cause for granting of a variance under this Section.

- any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevations and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as $25.00 for $100.00 insurance coverage.

- The ZEO shall maintain records of all appeal actions and report any variances to FEMA upon request.

5.4.5.7 Penalties for Violation

Violation of the provisions of this Section or failure to comply with any of its requirements, including violations of conditions in safeguards established in connection with grants of variance or Special Exceptions, shall constitute a misdemeanor. Any persons who violate this Section or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than $250.00 per day if proven done willfully, and $100.00 per day if not, or imprisoned for not more than ten (10) days for each day of violations, or both, and in addition, shall pay all costs and reasonable legal fees involved in the case. Nothing herein contained shall prevent the Town of Redding from taking such other lawful action as is necessary to prevent or remedy any violation.

5.5 Land Clearing and Regrading

Uncontrolled clearing and regrading of land endangers public health, safety and property values by increased risk of fire, flood, air and water contamination, and destruction of environmental resources.

In the Town of Redding, there shall be no excavation, clearing, regrading, removal or filling of land and earth materials except as provided in the following sections. (Land within and adjacent to wetlands and courses (see Definitions, Sections 8.1.285, 8.1.280) is also subject to the jurisdiction of the Town Inland/Wetland and Watercourses Regulations, to which reference should be made.)

5.5.1 Permitted by Right

(a) Excavation, filling or regrading involving not more than 100 cubic yards of earth material, provided the project:
- Disturbs not more than one-half (½) acre in aggregate site area;
- Is completed within 30 consecutive days and no other excavation, filling or regrading project is undertaken on the site within the subsequent 11 months; and
- Requirements of Section 5.5 are fully met.

(b) Land clearing, provided adequate erosion control and prompt re-vegetation are accomplished as provided by Section 5.4.3, as follows:
- Brushland, any extent of area.
- Woodland tract, non-intensive clearing, any extent of area.
- Woodland tract, intensive clearing, not more than one (1) acre in extent during each consecutive twelve-month period. Greater clearing requires a landscape management plan, as provided in Section 5.14.3. See definitions of "Woodland Tract" and "Intensive Clearing," Section 8.1.290.

5.5.2 Permitted Subject to Other Approvals

(a) Excavation, filling or regrading involving more than 100 but less than 300 cubic yards of earth material; provided carried out in complete conformity with a plot plan filed with the Zoning Enforcement Officer, as provided in Section 6.2, which establishes full compliance with the standards of Section 5.5.5.

(b) Excavation, filling or regrading which is clearly necessary and incidental to a permitted construction project at the same location, as authorized by a valid Town building, zoning, septic, or driveway permit, or by a special permit or site plan approved by the Zoning Commission under these Regulations; provided there is full compliance with the standards of Section 5.5.5.

(c) Excavation, filling or regrading in conformity with plans for a regulated activity in wetlands or watercourses, approved by the Conservation Commission (see, also, Section 5.5.6).

(d) Excavation, filling or regrading in conformity with a subdivision construction plan for such required work as roads, driveways, utilities, drainage or detention basins, approved by the Planning Commission.

Where any of the foregoing results in disturbance of more than one-half (½) acre of site area, an Erosion and Stormwater Control Plan is also required, as provided in Section 5.4.1.

5.5 Land Clearing and Regrading - continued

5.5.3 Special Permit Required

Land excavation, filling, clearing, removal and regrading projects not authorized by Sections 5.5.1 to 5.5.2 may be permitted by the Zoning Commission subject to:

(a) a Special Permit in accordance with Section 5.1 hereof (see "Required Findings," Section 5.1.3);

(b) a determination by the Commission that each proposed land clearing will adequately protect the soil, water, natural resources and property values of the site and nearby area, and that each earth regrading project fully comply with the standards of Section 5.4.3 and 5.5.5;

(c) strict adherence to the site plan approved by the Commission (see Section 5.2.2 and 5.5.4).

5.5.4 Project Site Plan

In addition to all relevant data required by Section 5.2.2, the site plan for a project subject to Special Permit shall show:

(a) for land clearing operations; equipment access roads and storage areas, extent of clearing area, erosion controls, slash and log storage locations, wetlands and watercourses, seasonal scheduling, type and sizes of trees to be removed, proposed site restoration and reforestation, and all data applicable from the following subsections:

(b) the type, geographic extent, approximate volume (cubic yards), and disposition of soil and other earth materials to be removed, filled, relocated, or regraded;

(c) the location of each consecutive work phase of the work, including excavation, fill, stockpiling, temporary bank slopes, equipment storage and structures (if any);

(d) proposed Erosion and Stormwater Control Plan, in accordance with Section 5.4;

(e) typical cross-sections, showing test boring data and planned stabilization measures wherever required by the Commission, for all constructed slopes proposed to exceed 20 percent and for all constructed ponds, detention basins and drainageways (see Section 5.4).

(f) proposed depths and finished grades of subsoil and topsoil to be established throughout the site;

(g) proposed planting and revegetation of all disturbed area;

(h) truck entrances and exits to the site, and proposed measures to control material spillage, traffic hazards and nuisance, especially with respect to nearby residences and roads;

(i) proposed commencement and completion dates for each phase of the project; and

(j) any other data required by the Commission to determine the projects compliance with these Regulations.

5.5 Land Clearing and Regrading - continued

5.5.5 General Standards for Earth Moving Projects

All earth excavation, filling, removal and regrading projects, including those authorized under Section 5.5.1, 5.5.2, and 5.5.3, shall comply with the following requirements:

(a) No alteration or construction shall take place within the 100-year floodplain, except as provided by Section 5.4.5.

(b) No alteration or construction shall take place in a regulated wetland or watercourses, except by permission under the Town's Wetlands and Watercourse Regulations.

(c) Adequate erosion control measures shall be in place at all times, in accordance with Sections 5.4.1 through 5.4.3. Detention basins or other stormwater control methods shall be used as provided by Sections 5.4.4 and 5.3.3 (e).

(d) Arable topsoil existing on the site of the work shall be carefully removed and stockpiled for later use in site restoration, before filling or excavation commences.

(e) Grading shall neither alter the natural contour lines by more than 12 inches nor disturb natural drainage patterns within 25 feet of the side or rear lots of any lot in a Residential Zone, except as shown on a plan approved under Town Subdivision, Wetlands and Watercourses, or Zoning Regulations (see Sections 5.2, 5.5.4).

(f) Maximum finished grades on all soil slopes shall be 1:2 (vertical: horizontal). Steeper slopes may be permitted only in stable rock cuts or where permanently stabilized by terracing, retaining walls, rip-rap or other structures designed by a registered professional engineer.

(g) Material used for land filling shall be of firm texture, free from decomposable or other unstable matter likely to cause future land subsidence, and from foreign substances likely to cause pollution of soil or ground water.

(h) Fences or guiderails shall be provided at the top of slopes which exceed 1:2 (vertical: horizontal), and at the top of all retaining walls which exceed four (4) feet in height, where adjacent to lot line or accessible to vehicles or pedestrians.

(i) All work operations shall be limited to weekdays (Monday - Friday, inclusive) between 7:00 AM and 5:00 PM, except projects by individual homeowners involving no more than 300 cubic yards of earth moving. No floodlights or other site lighting shall be used.

(j) No processing, sorting, crushing, sifting, washing, mixing or fabrication of earth materials shall occur on the site. No sharp declivities, holes, loose banks or standing water shall be allowed to remain overnight or during other periods when work is not in progress.

(k) Except where the approved site plan designates the construction of water bodies, structures, paved or other surfaced areas, all disturbed terrain shall be evenly graded in accordance with the approved contours, cleared of all debris, topsoiled and seeded. Fertile topsoil shall be applied to a uniform depth of six (6) inches or greater, and a hardy, perennial grass or ground cover maintained until all danger of surface erosion has passed.

5.5 Land Clearing and Regrading - continued

5.5.6 Special Requirements for Earth Moving Projects

In granting an application for a Special Permit, as provided by Section 5.5.3, the Commission may require the following special measures where necessary to protect health, safety, property values or the natural environment (see Sections 2.1 - 2.12 inclusive):

(a) A limit on the size or extent of area to be disturbed at any one (1) time during conduct of the work.

(b) Reasonable restrictions to control dust, noise, vibration, air and water pollution, traffic and other nuisances; such as screening, limits on traffic movement, more restrictive hours. (see Section 5.3).

(c) A study and report by a competent engineer, together with a diversified planting and site restoration plan, wherever necessary to protect soil, water and natural resources of the area.

(d) A comprehensive report by a qualified engineer or hydrologist, where the project proposes the construction or reconstruction of a water body or channel. Recommendation shall be based on: soil and percolation tests; consideration of drainage patterns and volumes; nearby wells and septic systems; the hydraulic integrity of nearby streams and wetlands; prevention of erosion and siltation; water holding and release characteristics of proposed water bodies; use of detained water; and suitability for access by fire-fighting apparatus.

5.5.7 Performance Bond and Project Duration

Where a project is authorized by Special Permit (see Sections 5.5.3), a performance bond, adequate in form and surety to guarantee the satisfactory completion of the project within the approved construction period, shall be provided before the Commission endorses its approval on the final site plan.

The Commission, on evidence of satisfactory conduct of the work, may extend the allotted construction period but no project shall be permitted to extend longer than three (3) years from date of approval to final completion including extensions.

5.6 Traffic Access, Parking and Loading.

Adequate parking and loading facilities, convenient access and circulation roadways, and reasonable pedestrian accessways are required for all uses.

The layout and improvement of parking and loading facilities requires site plan approval by the Zoning Commission for all uses except single-family dwellings, and permitted residential accessory uses. (see Sections 3.8, driveways, and 5.2, site plans.)

Where the site plan proposes a facility which will generate a significant increase in traffic volume, the Commission may require the applicant to:

(a) provide an analysis by a professional traffic engineer showing existing and projected traffic movements, traffic volumes, peak periods and recommended improvements for capacity and safety;

(b) improve the access road leading to the site as required for vehicular and pedestrian safety; and

(c) limit the scope and times of activity on the site as necessary for traffic safety or protection of adjacent property values.

5.6.1 Parking and Loading Facilities

Parking facilities consist of improved parking spaces, access aisles, roadways, parking facility driveways, pedestrian walks, drainage, landscaping and related features. A parking space is an unobstructed rectangular space accessible and available for parking one (1) conventional automobile, at least nine (9) feet wide by 20 feet long (horizontal dimensions) by nine (9) feet clear height (vertical dimensions). For compact car parking spaces, see Section 5.6.6 (o).

Loading facilities consist of an improved loading space or spaces, access aisles and related features. A loading space is an unobstructed rectangular space accessible and available for one (1) commercial type motor vehicle, truck, or bus; at least 14 feet wide by 40 feet long (horizontal dimensions) by 14 feet clear height (vertical dimension).

5.6.2 Parking Requirements

On-site parking is required for all uses. Parking facilities shall be located on the same site as the use served (except as provided by Sections 5.6.6 and 5.6.9), and constructed to standards described in Section 5.6.5.

For nonresidential uses in Historic Buildings or Historic Structures located in the HMC Zone only, the Commission may modify the number of parking spaces based on the intensity of proposed use of the buildings or structures.

An existing use which lacks parking as specified herein shall be required to meet the standards of this Section for any enlargement thereof, or new use, and to supply such additional parking as the Commission finds may be reasonably accommodated on the site for the benefit of that portion of the use which is deficient in parking (pre-existing use).

Where the Commission finds that the proposed use will actually need substantially fewer parking spaces than specified by Section 5.6.2, it may permit the unneeded spaces to be laid out on the site plan but left unimproved, in a landscape condition, until such future time as the intensity of site use requires their availability.

5.6 Traffic Access, Parking and Loading - continued

The following minimum parking requirements apply to all zones:

TYPE OF USE	REQUIRED PARKING SPACES
Single-family dwelling	2 per dwelling
Two-family and Multi- family dwellings	2 per each two-bedroom or three-bedroom unit
	1.5 per each studio or one-bedroom unit designated for, and restricted to the elderly.
Residential apartment, accessory to dwelling	2 for apartment unit plus 2 for main dwelling
Professional office or customary home occupation accessory to dwelling	2 per each employee (to provide for clients and visitors)
Church, theater, auditorium, outdoor sports arena	1 per each 4 seats
School: elementary, Middle, or secondary (excluding auditorium)	1 per each employee and staff member
Nursery school, day-care center, specialized school, training institute, college (excluding auditorium)	1 per each employee and staff member plus 1 per each 5 students or enrolled trainees
Museum, library, arts gallery	1 per 500 square feet floor area, plus 1 per employee
Private recreation club	1 per member (or family membership) plus 1 per employee
Hospital, nursing home	1 per each 4 patient beds
Executive or corporate offices, research laboratory	1 per each employee on largest shift, plus 1 per each company vehicle stored on premises, plus 1 per each average daily visitor; but not less than 1 per each 500 square feet of floor area.
Business, professional, institutional or public offices; banks	1 per each 250 square feet of floor area
Retail stores and shops	1 per each 150 square feet of ground floor area, plus 1 per each 200 square feet of floor area on other floors
Restaurant	1 per each 2 customer seats, or 1 per each 50 square feet of floor area devoted to customer use, whichever is greater
Hotel, motel (excluding restaurant)	1 per each guest unit, plus 1 per employee
Indoor tennis, bowling other commercial or public recreation facility	1 per each participant during the hour of maximum usage, plus 1 per each fixed spectator seat
Funeral Home	1 per each 150 square feet of floor area
Automotive sales, service and repair	3 spaces per each repair bay, plus 1 per employee
Industrial, wholesale, general commercial	1 per each employee on largest shift, plus 1 per each company vehicle stored on premises
Other uses	As determined necessary in each case by the Commission, based on anticipated employees and visitors.

5.6 Traffic Access, Parking and Loading - continued

5.6.3 Loading Requirements

Loading facilities shall be located as close to buildings served as feasible, and shall be clearly posted "Reserve Loading Space".

In reviewing a site plan under these Regulations, the Commission may require that loading docks and spaces be placed at the side or rear of a building, and that effective screening of such area be provided where necessary to protect the values of adjacent areas. Where an applicant agrees, as a site plan condition, to restrict the size of vehicles using on-site loading facilities, the Commission may reduce the required dimensions of any loading space to not less than 12 feet by 30 feet (horizontal) by 12 feet (vertical).

TYPE OF USE	REQUIRED LOADING SPACES AGGREGATE FLOOR AREA OF BLDG: SQUARE FEET
Retail and service business, general commercial	Less than 4,000 - none required.
	4,000 – 20,000 sq. feet - 1 space.
	20,001 – 50,000 sq. feet - 2 spaces.
	Over 50,000 sq. feet - 2 spaces plus additional spaces deemed necessary by the Commission.
Wholesale storage, industrial	Less than 15,000 sq. feet - 1 space
	Over 15,000 sq. feet - 1 space per each 30,000 sq. feet and major portion thereof.
Offices	Less than 10,000 sq. feet - none required.
	10,000 to 50,000 sq. feet - 1 space
	50,001 to 100,000 sq. feet – 2 spaces
	Over 100,000 sq. feet, 2 spaces plus additional spaces deemed necessary by Commission.
Institutional and other uses	As determined necessary in each case by the Commission, based on anticipated visits by service and delivery vehicles.

5.6 Traffic Access, Parking and Loading - continued

5.6.4 Location and Setbacks

Parking and loading facilities shall be located on the same premises as the principal use served, except as provided by Section 5.6.6.

Each parking and loading space shall be served by an adjacent access aisle designed to accommodate vehicles entering and leaving such space (see Sections 5.6.5a, 5.6.5b). No private parking or loading space shall require a vehicle to back into a public street.

Minimum setbacks for parking and loading facilities - including all parking spaces, loading spaces, access aisle's, light posts, fences, structures and paved areas - shall be as follows (all dimensions in feet):

REQUIRED SETBACK FOR PARKING AND LOADING FACILITIES – *IN FEET, FROM* -	ZONES				
	R-4 R-2 R-1	R-½ RV	OR	NB SB	BC
Front lot line					
Nonresidential use	50*	25	50	15	6
Residential use only	30	15	50	15	6
Side and rear lot lines					
Nonresidential use	100**x	15**	15**	10**	NR
Residential use only	25	15	15	10	NR
Boundary of Residential Zone	NR	NR	100x	25	25
Streams and Watercourses	25w	15w	25w	10w	NR
Buildings (except garage and loading doors)	20t	10t	10t	10t	NR

Notes:

NR No requirement.

* See Section 5.1.4.

** Except that none is required where adjacent lots share parking and loading facilities, as provided in Section 5.6.6.

x Except that the Commission may allow up to 75 feet of required setback to be allocated from a directly adjacent permanently dedicated open space parcel. See also Section 5.1.4 (Residential R-4, R-2, R-1 Zones).

w Note, however, that any earth disturbance within 100 feet of certain streams and wetlands require permission from Town Conservation Commission, per Wetlands and Watercourses Regulations. See also Section 5.4.5 (Flood Safety).

t Except none required for parking or loading within or under a building.

5.6.5 Design Standards

The minimum dimensions of parking and loading spaces shall be as prescribed by Section 5.6.1.

5.6 Traffic Access, Parking and Loading -continued

5.6.5 Design Standards - continued

Except where limited to serving a single-family residence, a two family residence, or an accessory residential apartment, all parking and loading facilities accommodating 5 or more vehicles shall meet the following requirements:

TYPE OF FEATURE	REQUIREMENT
a) Parking access aisle	Minimum width, adjacent to:
	90 deg spaces (perpendicular) - 24 ft.
	60 deg spaces (angular) - 21 feet.
	45 deg spaces (angular) - 18 feet.
	0 deg spaces (parallel) - 14 feet.
b) Traffic circulation	Minimum width:
	one-lane road - 14 feet.
	two-lane road - 24 feet.
	Maximum dead end parking aisles:
	20 spaces served.
c) Grades	Parking spaces, loading spaces, access aisles: 4 percent maximum.
	No parking circulation road - 10 percent maximum.
d) Surface treatment of travel area	5 or fewer parking spaces in Residential Zones, optional.
	All others: bituminous concrete (asphalt or approved equivalent) surface over 12 inch gravel base, both conforming to Town of Redding Road Regulations specifications (Sections 7-9, as amended): except that the Commission may permit permeable surfaces in areas deemed acceptable to provide groundwater recharge to an aquifer or to a wetlands, or to minimize erosion and siltation.
e) Pavement marking: loading	Standard white or yellow stripe delineating each loading spaces, reserved spaces, parking and directional arrows and crosswalks.
f) Storm Drainage	See Sections 5.2.2, 5.3.3 (e) and 5.4. Catch basins shall be located apart from pedestrian traffic and snow storage areas. Adequate stormwater detention and groundwater recharge facilities shall be provided.
g) Utility features	Electric and telephone lines shall be placed underground. Transformers, mechanical equipment, pump houses, comfort stations, trash bins, and other accessory structures (if any) shall be separated from traffic and pedestrian areas, and fully screened. Telephone stations and fire hydrants may be placed in accessible locations which are not in conflict with vehicular or pedestrian movements. *–continues-*

TYPE OF FEATURE	REQUIREMENT
h) Safety and planting islands	Safety and planting islands are required:
	– along the inner (curb) side of all parallel parking spaces; – along the head-in (curb) end of all perpendicular and angular parking spaces; – separating adjacent rows of parking spaces along their inner (head-in, or curb) sides; – extending across the full depth of each single or double parking row (20 feet, or 40 feet), with a pedestrian walk, at intervals of 100 feet or less; – at the ends of all parking rows, rounded for safe vehicular turning; – inside all lot lines, to setback depth specified by Section 5.6.4; – and wherever required for safety, traffic control or circulation, as directed by the Commission.
	All islands shall be a minimum eight (8) feet in width, and protected by curbing, bollards, or wheels stops. Except where pedestrian walks are located, all islands shall be fully pervious and landscaped. (See Section 5.7 and Diagram at end of Section 5.6). In any parking facility accommodating 100 or more cars, however, the Commission may modify the arrangement and locations of interior planting islands, provided there will be structures adequate to control vehicle movement and parking (such as curbs, bollards, or guide rails) and at least 25 percent of the entire parking lot area, including all paving and interior islands but excluding all required setback areas adjacent to exterior boundaries, will be pervious, densely planted landscaped area.
i) Curbs, bollards, wheel stops, bumpers	One (1) or more of these devices shall be provided to protect each island, planting area, and pedestrian walks, and to control vehicle parking and traffic flow. (See Definitions, Sections 8.1.22 and 8.1.29).
	Curbs shall be of granite or concrete per Town specifications, or other materials where acceptable to the Commission. Where curbs or wheel stop do not exceed six (6) inches height, perpendicular or angular parking spaces may extend into (overhang) an island by not more than 24 inches.
	Minimum curbline radius at intersections: aisles within parking lot - 4 feet; street entrances and exits - 15 ft.
j) Pedestrian walks	Required across parking rows at ten (10) space intervals (or closer), between parking and building entrances and exits, and wherever required for pedestrian safety. Minimum clear width – four (4) feet (48 inches). Surface: as approved by Commission. Elevation: must be six (6) inches above paved parking (except crosswalks) to deflect storm drainage, ice and snow. A graded ramp, safe for wheelchairs, shall be provided wherever a crosswalk intersects a curbline (see General Statutes 7-118a).

<table>
<tr><th>TYPE OF FEATURE</th><th>REQUIREMENT</th></tr>
<tr><td>k) Spaces for the handicapped</td><td>Special parking spaces for handicapped persons shall be reserved as follows:
<table>
<tr><th>Total parking Spaces:</th><th>Required spaces for handicapped:</th></tr>
<tr><td>20 – 49</td><td>1</td></tr>
<tr><td>50 – 99</td><td>2</td></tr>
<tr><td>100 – 199</td><td>3</td></tr>
<tr><td>200 & over</td><td>3 plus 1 for each additional 100 spaces or major portion thereof.</td></tr>
</table>
Spaces for the handicapped count toward total parking requirement. Such special spaces shall be at least 12 feet by 20 feet in dimension, located at close proximity to the main building entrances, and clearly marked by standard symbols or a sign which indicates "Reserved For Handicapped, State Permit Required".</td></tr>
<tr><td>l) Emergency lanes</td><td>An emergency lane, at least 12 feet by 60 feet in dimension, shall be marked out and reserved for use by fire apparatus, police and rescue vehicles in each parking lot providing 100 or more spaces, at a location approved by the Commission.

Such lanes may encroach on the required islands or setback areas where the Commission determines public safety requires such location.</td></tr>
<tr><td>m) Lighting</td><td>See Section 5.3.6.

All illumination shall be shielded and directed downward.

Maximum height of freestanding light fixtures above ground level:
Nonresidential zones - 20 feet;
Residential zone, 12 feet. Setback required - 4 feet from all curbs, and as provided in Sections 5.3.6 (f) and 5.6.4.</td></tr>
<tr><td>n) Landscaping and screening</td><td>See Section 5.7.</td></tr>
<tr><td>o) Compact car parking spaces</td><td>In any parking facility accommodating 100 or more cars, the Commission may permit up to 25 percent of the required parking spaces to be marked out in a contiguous Section and reserved exclusively for compact cars. Such parking spaces shall have horizontal dimensions of eight (8) feet width by 16 feet length each, all shall meet all other requirements herein.</td></tr>
</table>

TYPE OF FEATURE	REQUIREMENT
p) Small lots, Residential Zone	On any site accommodating 20 or fewer parking spaces within a Residential zone, the Commission may waive any of the specific Standards of subsections b), d), e), h), or j) in Section 5.6.5 above provided it finds the parking site plan will accomplish each of the following objectives: (1) establish a permanent densely planted green space or buffer at least twice the area (200 percent) of the used or improved parking facility driveway, surrounding the parking facility on all sides. (2) provide adequately for the safety of all vehicles and pedestrians using the facility; and (3) diligently protect all aspects of the natural environment and residential quality of the surrounding area.

For illustration of some of the above standards, see diagram at the end of Section 5.6.

Where the parking facility consists of a gently graded, open grassy field, used no more than ten (10) days per year for vehicle parking for special events (such as school athletic games and public suppers or fairs), the above standards shall not apply.

5.6.6 Shared Parking and Loading Facilities

In its site plan review, the Commission may permit required parking or loading facilities to be located off the premises, within 500 feet of the served building, provided such facilities are located:

(a) in a lot convenient for pedestrian access, owned or leased for long-term by the owner of the served building, provided that permission for the principal use shall continue as long as the required parking and loading are maintained to serve the use; or

(b) in a shared parking or loading facility, jointly owned with others, provided the required spaces are permanently and enforceably reserved to serve the said use.

To encourage the improved efficiency, safety and traffic circulation inherent in coordinated parking facilities, the Commission may reduce the required number of spaces by not more than 20 percent for each lot which enters into a permanently binding covenant for shared parking and access facilities with adjacent owners, in accordance with a site plan approved by the Commission. Any arrangement for shared parking facilities must include in the covenant an enforceable provision for maintenance responsibility satisfactory to the Commission.

-Where a site plan imposes a binding restriction on hours of operation of a specific use, such that its operation will not coincide with activity times of other uses on the site or in a shared parking facility, the Commission may permit the shared use of designated parking spaces at non-conflicting times.

5.6 Traffic Access, Parking and Loading

5.6.7 Maintenance Responsibility

The owner (or owners) of parking, loading and related facilities shall properly maintain all facilities, including plantings, pavement markings, curbs and wheel stops, lights, signs, pavement, storm drainage and other facilities shown on the approved site plan.

Failure to properly correct any deficiency after notice from the Zoning Enforcement Officer shall constitute a Zoning violation within the meaning of Section 6.5.

5.6.8 Performance Bond

In approving any site plan for parking or related facilities, the Commission may require a performance bond as provided in Section 5.2.8.

5.6.9 Land Donated for Public Parking

To encourage the creation of improved traffic circulation and public parking, the Planning Commission may establish plans for street relocation and building lines, as provided in the Connecticut General Statutes Section 8-29, as amended. Such plans will delineate parcels recommended for public acquisition, and will include building lines which define permissible future building locations on each fronting lot.

Where the owner of any land thereby recommended for public acquisition, donates the delineated parcel to the Town of Redding for public street and parking use, without financial consideration, and said Town accepts the same, the following exemptions from these regulations shall apply to the portion of the donor's property lying adjacent to and within 50 feet rearward from any building line established as provided in this section:

(a) No front, side or rear yard, and no maximum structure; coverage or impervious area shall be required, except that setbacks from Residential Zone boundary lines specified by Section 4.6 and 5.6.4 of these regulations shall continue to apply. If a side yard is provided it shall be at least eight (8) feet in width and provided with a landscaped pedestrian walk.

(b) Maximum floor area of any building shall be equal to twice the land area which lies within 50 feet of an established building line, except that any lot with 100 or more feet of street frontage shall reserve an accessway at least 20 feet in width for pedestrian and/or vehicular access to the rear of the same property.

(c) No parking or loading facilities need be provided for the building area which lies within 50 feet of the building line established as provided above, for non-residential uses. Residential uses require two (2) parking spaces per unit as described in Section 5.6.2.

(d) The front facades of all buildings shall be located within five (5) feet of the established building line. Any front yard provided shall require Commission site plan approval for design in harmony with its surrounding streetscape. All front entrances to buildings shall be at substantially the same level as the streetside sidewalk, and shall be handicapped accessible. Projecting features beyond the building line are governed by Section 3.11.

(e) First-story or ground-level residential and parking uses are prohibited within 50 feet to the rear of an established building line.
See definition of "Building Line," Section 8.1.27.

5.6 Traffic Access, Parking and Loading - continued

5.6.10 Parking Structures

A parking structure is any ramp, garage, under-building space, roof space or elevated deck designed for vehicular parking. Use of the parking structures, within the height and setback limitations of these regulations, is encouraged in BC and HVC zones and may be permitted by the Commission in its review of any site plan under Section 5.2. A parking structure is excluded from the building coverage limitations if placed below finished grade and covered by landscaping.

Parking structures shall meet the design standards of Section 5.6.5 layout of parking spaces, access aisles and roadways, backup and turning space, and the standards of Section 5.6.14 horizontal (nine (9) feet by 20 feet) and vertical (nine (9) feet clear height) space dimensions. The Commission may modify the horizontal dimension standards within an enclosed parking structure when based on a plan prepared by the engineer in meeting standards set forth by the Institute of Traffic Engineers or similar authority of organization. Each parking structure shall be provided with adequate ventilation, interior illumination, emergency vehicle access and safe pedestrian circulation. In approving a parking structure as part of the site plan, the Commission may require that the structure be landscaped and screened as it deems appropriate.

5.6.11 Special Regulations Governing Properties With Access From Route 7.

The unique status of U.S. Route 7, Ethan Allen Highway, as a regional arterial highway which carries a heavy volume of intertown traffic requires that the following standards be met in each application for site plan approval.

Specific recommendations of the "Redding Route 7 Curb Cut and Access Management Plan" as the same may now or hereinafter be adopted by the Redding Zoning Commission, shall be implemented on the site plan as fully possible.

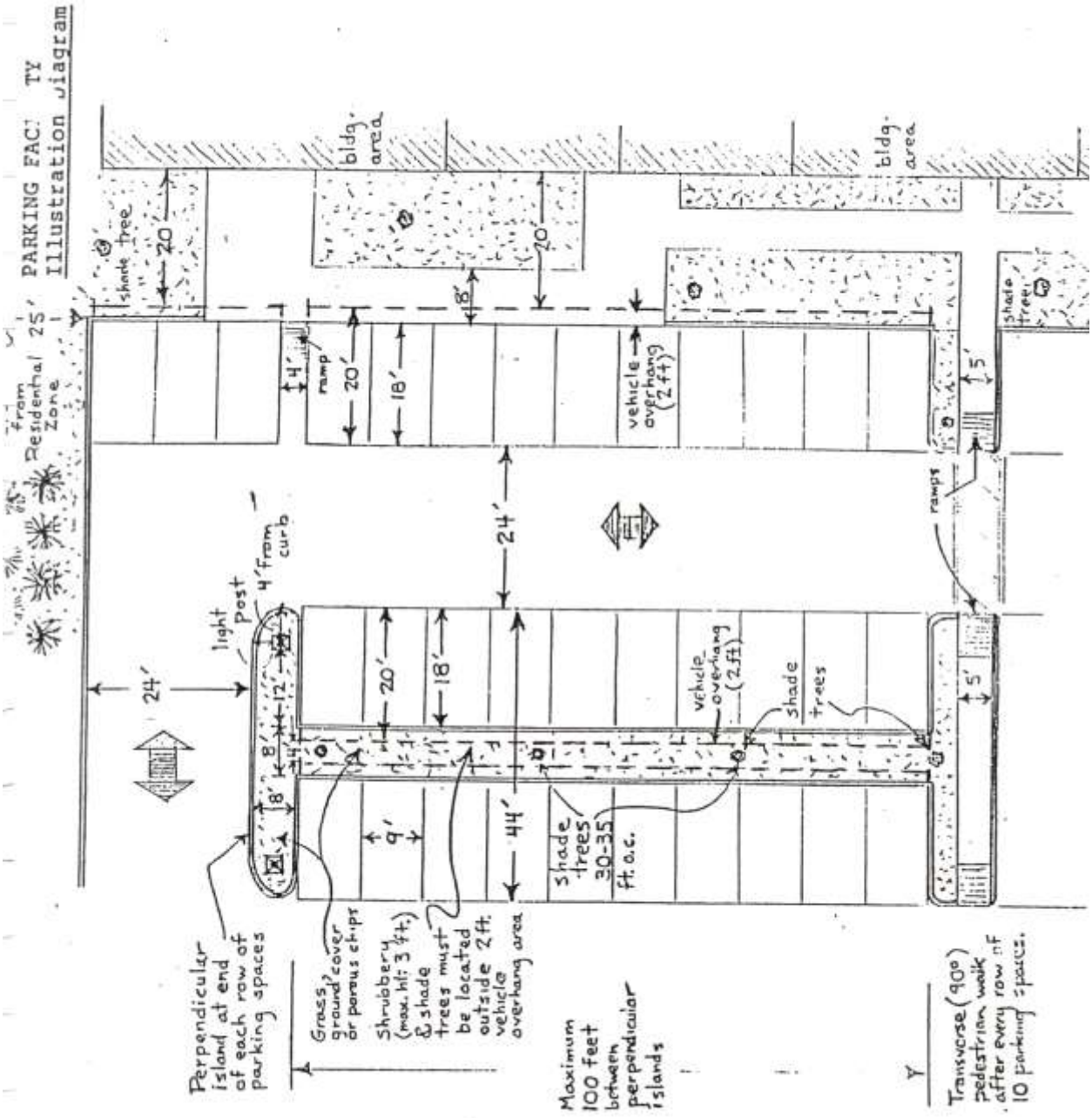
For any project which proposes the creation or relocation of ten (10) or more parking spaces, an analysis by a professional traffic engineer shall be submitted which evaluates the project's impact on Route 7 traffic flow in terms of safety, capacity and speed, especially in relation to present and projected peak hour volume. Unless the report demonstrates that there will be no adverse impact on Route 7 safety and capacity, the project will not be approved.

New curb cuts (driveway intersections) with Route 7 shall be spaced at least 200 feet from the existing curb cuts, unless a variation from the spacing can be demonstrated to enhance the existing safety and efficiency. Where existing frontages cannot meet this standard, the Commission may require a shared driveway with an adjoining lot, and access through an adjoining lot for vehicle and pedestrian use and circulation, or both as it may judge necessary for safety. Every fronting lot shall be entitled to retain at least one (1) properly designed entrance/exit drive.

Safe stopping distance shall be provided, based on highway posted speeds, for every new driveway intersection. Where insufficient lane space is available in the frontage road, the Commission may require road widening to provide an essential right-turn lane or left –turn-storage-lane in accordance with State Department of Transportation standards.

5.6 <u>Traffic Access, Parking and Loading</u> - continued

Parking Facility Diagram



5.7 Landscape Requirements

Site development in all zones shall preserve major trees and existing landscape features wherever possible, and provide intensive replanting of all disturbed areas to control erosion, to moderate climactic extremes, and to protect the rural residential quality of the community.

5.7.1 Types of landscape treatment

Details of proposed planting shall be shown on the required site plan, including location, specie, initial and mature size, density and spacing of all plantings and other significant landscape features.

Various types of landscaping material required are:

a) Shade trees; for the purpose of summer shade for roads, parking, buildings and activity areas. Requires hardy deciduous trees, minimum two (2) inch caliper 12 inches above the ground, with deep soil and shade tolerant ground cover (ground cover plants, low shrubbery, grass, stones or chips) in adjacent ground area.

b) Slope plantings; for purpose of stabilizing cut banks and control erosion. Requires hardy shrubs, erosion resistant plants and vines, terracing, stabilized rock cuts or retaining walls wherever slope would exceed 1.0:1.5 (vertical:horizontal), rip rap or stabilizing plantings along created drainage channels.

c) Open landscaping; for the purpose of site aesthetics, building enhancement, recreation. Requires perennial grass or ground cover, suitable shrubs, trees or ornamental plantings, regularly maintained for attractive appearance.

d) Screening; for the purpose of visual concealment of specific areas (such as parking in commercial areas). Requires dense evergreen hedge in double-offset rows, of a hardy type with full growth at ground-level and at least eight (8) feet height. May also require supplementary fencing or masonry walls, or both, as determined necessary by the Commission.

e) Natural buffer; for the purpose of interrupting light, sound and visibility between incompatible uses through retention of natural wood and dense undergrowth. Requires sufficient depth and density of natural growth for effective buffer, and may require supplemental planting as determined necessary by Commission.

5.7 Landscape Requirements – continued

5.7.2 Required Landscaped Areas

LOCATION	TYPE OF LANDSCAPING REQUIRED
Surrounding parking lots and non-residential uses (including buildings, storage and all activity areas), in Residential Zones	Screening or effective natural buffer, minimum depth: – 100 feet, side and rear yards, in R-4, R-2, R-1 zones. – 50 feet, side and rear yards, in R-½,RV zones Open landscaping or screening, Min. 25 feet, all front yards (see Section 5.1.4).
Parking lot islands, and adjacent to paved parking, in all Zones.	Shade trees at average spacing of 30 to 40 feet, plus appropriate open landscaping or natural buffer
Bank slopes within and adjacent to developed area in all Zones.	Slope Plantings.
Roadsides, in all Non-residential Zones (BC, NB,SB, OR).	Shade trees at average spacing of 50 feet, plus appropriate open landscaping or natural buffer
Adjacent to Residential Zone boundary lines, in all Non-residential Zones (BC, NB, SB, OR).	Screening at least 25 feet in depth, or effective natural buffer at least 50 feet in depth, or combination of both.
Front, side and rear yards, wherever visible from roadways or available for planting, in all OR, BC, NB, and SB Zones.	Open landscaping, natural buffer, or combination of both.

5.7.3 Suitability of Plantings

Plantings chosen must be well-suited to environmental conditions, properly installed and located to serve intended purposes (see Section 5.7.1).

Placement of planting shall not interfere with safe visibility at road intersections or exit driveways, nor cast dense winter shadows on potential icy roadways.

5.7.4 Maintenance

The owner of the site shall be responsible for proper maintenance of all plantings and other installed landscaped features as shown on the approved site plan, and for replacement of such in the event of its demise or destruction.

The Commission may require a performance bond, to remain in effect at least three (3) years, to assure the proper survival and/or replacement of the plantings in landscaping shown on the approved site plan.

5.8 Protection of Historic Landmarks

Historic sites, structures and landmarks contribute significantly to Redding's civic and residential values. It is the intent of these Regulations to preserve these Historic landmarks by means of a Special Preservation Permit that includes:

a) Qualification of a Town Landmark by means of official designation;

b) Documentation of special needs or conflicts with these Zoning Regulations; and

c) A site plan, consisting of an A-2 survey and those elements of Section 5.2 the Commission may require, outlining the site needs and proposed development, and any special regulatory provisions to permit the proposed development or modifications to the structure(s).

5.8.1 Qualification as a Town Landmark

A Town Landmark shall be any building, structure, group of structures, natural feature or site of land that has been formally qualified as an Historic Site, or as a contributing feature of an Historic District by means of:

a) Listing on the National Register of Historic Places;

b) Listing on the State Register of Historic Places;

c) Listing as a designated archaeological site on file in the Office of the State Archaeologist; or

d) Has qualified to be considered for listing on the National and/or State Registers by inclusion in the Connecticut State Historic Resource Inventory.

5.8.2 Zoning Commission may Require Special Preservation Permit

In reviewing any site plan, the Commission may require that qualifying features be designated on the plan as Town Landmarks and preserved consistent with the standards set forth in this section.

5.8.3 Special Preservation Permit

Based upon: a) qualifications as a Town Landmark; b) documentation of special needs; c) the responses to those needs; and d) application by the Owner or the Owner's duly authorized agent, the Commission may approve a Special Preservation Permit, applicable to the designated Town Landmark and its immediate site area. Such Special Permit shall take precedence over any conflicts with the underlying Zoning Regulations, to the minimal extent necessary to address the special needs as documented in the Special Permit Application.

Any Special Preservation Permit shall recognize the unique character of the Landmark, shall require the faithful preservation, and may waive prescribed standards for the site area, dimension and coverage, and/or yard and setback requirements as necessary to assure the Landmark's survival and appropriate use. The Commission may authorize adjustments to the appropriate Zoning requirements to the minimum extent necessary for preservation.

5.8 Protection of Historic Landmarks - continued

5.8.4 Qualified Expert Source

The Qualified Expert Source for establishing the historic value of any property subject to a Special Preservation Permit or for preparation of the Application materials shall be one (1) or more of the following:

1. Archaeology: Advanced degree in Archaeology and a relevant history of practice in the cultural resource areas involved in the Application;

2. History: Advanced degree with a specialty in Architectural and/or Cultural history, and a relevant history of practice in the architectural, landscape, or cultural history areas involved in the Application;

3. Building Design. Registered Architect with a relevant history of practice in the building design areas involved in the Application; or

4. Landscape Design: Licensed Landscape Architect with a relevant history of practice in the landscape design areas involved in the Application.

5.8.5 Applications for Special Preservation Permit

Any application for a Special Preservation Permit is to be made to the Zoning Commission as set forth at Section 5.1, except that the following modifications to Special Permit application procedures shall apply:

a. Provisions Applying to All Applications:

a.1 Proof of Qualifying Status as Town Landmark:
Application is to include documentary proof of qualification for Town Landmark status as set forth at 5.8.1

a.2 Documentation of Historically Valuable Features and Resulting Special Needs:
The application shall include a report from a qualified and relevant expert source, documenting in photographs, drawings, and/or narrative description the particular historically valuable features of the subject structure, group of structures, natural feature or site of land.

Reference to the character of the historical features, why they are worthy of preservation, and why they may be seen as causing Special Needs related to their preservation is required as part of the Application.

a.3 Site Plan and Proposed Development for Special Preservation Permit:
The application shall include:
- A site plan conforming to the requirements of Section 5.1;
- A presentation from a qualified and relevant expert source, documenting in photographs, drawings, and/or narrative description the specific site design and/or building design features as proposed for construction under the Special Permit.

Reference to the character of the site plan and proposed development, why the design is appropriate and sufficient to address the special needs, and to assure preservation of the Town Landmark is required as part of the Application.

5.8 Protection of Historic Landmarks - continued

5.8.5 Applications for Special Preservation Permit - continued

a.4 Application Narrative
The application shall include a narrative prepared by a Qualified Expert as a summary explanation of the overall preservation strategy. The narrative must explain why the Special Preservation Permit is required to preserve the historic features of the Town Landmark, and why alternate strategies in greater conformity with underlying Zoning Regulations are not possible.

b. Provisions Applying to One or Two-Family Dwellings:

b.1 Application for One or Two-Family Dwellings:
Where an application is made for a Special Preservation Permit, and the subject structure, group of structures, natural feature or site of land involves only one or two-family residential uses, the Commission may waive the requirement for a public hearing and a site plan conforming to the requirements of Section 5.1. A site plan conforming to the requirements of Section 5.1 and a public hearing shall be required if the setback and/or yard requirements cannot be readily determined by the ZEO, if an Inland Wetland license is require, or if more than 300 yards of earth materials must be excavated or moved as part of the proposed development.

b.2 Conversion from Residential to Other Uses
If a structure, group of structures, natural feature or site of land receives a Special Preservation Permit as set forth in these regulations, and the application utilizes the Preservation Permit as set forth for One or Two-Family Residential uses, then any conversion from Residential to other uses will necessitate re-application for the Special Permit. Such reconsideration is to be supported by application materials meeting the standards set herein for non-residential uses.

5.8.6 Design and Construction Standards for Special Preservation Permit

In order to guide the applicant in planning changes to historic structures, and to establish uniform standards for the Commission's review of applications for Special Preservation Permit, the following shall apply:

a. The roof eaves and/or peak in newly constructed areas should not be higher than the eaves and/or peak of the originally intended principal mass of the structure.

b. Newly-constructed additions of significant size in relation to the original structure should be situated such that the originally intended principal mass of the structure remains as the most important element of the structure.

c. Renovation work must include historically-accurate restoration of any portions of the structure's exterior that have been designated as historically valuable, to the extent permitted by current building codes.

5.8 Protection of Historic Landmarks - continued

5.8.7 Required Findings and Permit Approvals

After due consideration of all of the materials submitted as part of the application, any additional information provided during the Public Hearing (if required) or Regular Zoning Commission meeting (if no Public Hearing is required), the Commission must find:

- The subject property fully qualifies for consideration of a Special Preservation Permit
- The proposed development protects and preserves the identified historic features
- The requested changes to the underlying Zone Requirements are the minimum necessary to permit the development.

The Commission may approve, deny, or approve with modifications the proposed development and site plans. The Special Preservation Permit shall be valid once recorded on the Town Land Records by the property owner or the owner's representative.

If any of the features justifying the approval of the Special Preservation Permit are altered or removed without prior review and approval by the Zoning Commission, the Special Preservation Permit shall be rendered invalid and Notice of Violation and Revocation shall be placed on the permit as filed on the Town Land Records. Revocation of the permit may render the structure or portions of the structure as nonconforming.

5.9 Signs

5.9.1 Standards Governing All Signs

Exterior signs, in all zones, shall observe the following requirements (see Definition of "Sign," Section 8.1.228):

(a) The location of each sign shall be limited to the premises it identifies or serves. No off premises signs are allowed, except as provided under Sections 5.9.2 (a) and (g).

(b) The measurement of the sign area shall comprise that area enclosed by continuous straight lines connecting the extreme points or edges of a "Sign." This area does not include the main supporting sign structure but shall include multiple signs attached to a single-sign structure.

(c) The area of the "Sign" shall comprise the entire surface area (all faces) on which the message is inscribed and the number of faces or separate message-bearing surfaces, is limited to two (2) per sign.

(d) The height of the signs shall be measured from the finish grade at the base of its supporting structure to the highest part of the sign.

(e) Illumination of signs, where permitted, shall be low intensity lighting confined to the surface of the sign, designed so that no direct sources of illumination are visible. No signs shall result in glare or reflections visible off the premises. Signs of moving, flashing, intensely glowing (see such as neon) or highly reflective character is prohibited.

(f) Signs mounted on buildings shall not extend above the principal eave line, nor extend outward more than four (4) feet the from the face wall of the building.

(g) Freestanding signs shall be located inside the front lot line, in a position which will not interfere with the street or driveway visibility. No private signs shall be mounted on or affixed to utility poles, trees, or structures, or placed on Town property, or extended into a public right-of-way (except postal boxes located in accordance with postal regulations). For the purpose of these regulations, any sign placed more than three (3) feet away from the paved or otherwise improved portion of a roadway will be deemed to be outside the public right-of-way. Free-standing signs shall not be located within 25 feet of any roadway intersection, within 15 feet of any traffic directional or warning signs or in any traffic median or other directional control traffic island.

(h) Portable signs are limited to the following:
- an identification logo or company nameplate permanently affixed to a vehicle in daily use only for the premises where it is stored; and
- a temporary sign, as permitted by Sections 5.9.2 (f) and (g).

(i) Advertising signs and billboards are prohibited in all zones, except as provided in Section 5.9.3 (c).

5.9 **Signs** - continued

5.9.1 Standards Governing All Signs - continued

(j) The use of signs, except as provided in Section 5.9.3 (c), shall be limited to one (1) of the following for each sign:
- public safety information, as provided in Sections 5.9.2 (b) and (c);
- private property protection, as provided in Section 5.9.2 (d);
- temporary sales and special events, as provided in sections 5.9.2 (f) and (g); or
- identification of the name and permitted activity of the occupant of the premises. Such "permitted activity" shall describe only the general class of business, product, profession or trade -- such as "the pharmacy," "baked goods," "architect," or "cabinetmaker," and shall not include promotional advertising messages or slogans. Artistic symbols or traditional emblems (e.g., Shoemaker's boot or barbers pole) may be a part of the permitted sign. See section 5.9.2, 5.9.3, and 5.9.4.

5.9.2 Signs permissible in all zones

The following signs are permitted by a right (no permit required) in all zones, with limitations noted:

(a) An identification sign indicating the name of the resident, the name of the property, or the address, not exceeding one (1) square foot in area per each sign face, located within ten (10) feet of the entrance lot.

(b) Private property posting or warning signs (such as "no trespassing" or "police protected"), non-illuminated, maximum of one (1) sign all on or each 100 feet of property boundary or fraction thereof.

(c) Essential traffic control, emergency information, construction, road name, and directional signs erected by State and Town traffic authorities.

(d) Necessary traffic and parking control signs in private roads and parking facilities, not exceeding four (4) feet in area for each sign face.

The following signs are permitted in all zones, subject to a Certificate of Zoning Compliance (see Section 6.3), with limitations noted:

(e) Temporary signs referring to a public office election or a referendum or other public or political issue.

(f) An identification sign indicating a permitted home occupation, bed and breakfast establishment, or professional office; conforming to side yard setback requirements, maximum area of six (6) square feet per sign face, maximum height of eight (8) feet, and one (1) sign per lot.

(g) One (1) temporary sign indicating the permitted special event or seasonal home occupation occurring on the same premises, such as "For Sale," "For Rent," "Building Fund Drive," "Contractor," "Tag Sale," "Horse Show," "Church Fair," "Auction," "Fresh Produce," "Christmas Greens," "Seasoned Firewood," "Summer Day Camp," and the like; sign not illuminated, maximum: area of six (6) square feet per sign face, height of eight (8) feet, one (1) sign per lot. The sign shall be removed within 24 hours of completion of the construction, sale, rental or scheduled event.

5.9 **Signs** – continued

5.9.2 Signs permissible in all zones - continued

(h) Temporary directional signs marking the route to permitted special events, such as church fairs, benefit dinners for civic organizations, open house signs for real estate agents, public events, and tag sales (see Section 5.11); signs not illuminated, maximum: area not exceeding six (6) inches by 18 inches each, height of eight (8) feet, four signs off the premises at approved locations. All signs shall be removed within 24 hours after the permitted special event.

5.9.3 Signs in Business Zones

The following signs are permitted only in HMC, BC, NB, and SB Zones, subject to a Certificate of Zoning Compliance (see Section 6.3), with limitations noted:

(a) Exterior Signs: When painted on or applied to the principal building wall or awning, such signs shall not exceed a total area of one-half (1/2) square foot for each lineal foot of the principal building walls, or 200 square feet, whichever is less. For buildings having multiple occupancy, allowable sign area shall be divided among the occupants by the owner of the property, provided that no single sign shall exceed 40 square feet in area. Location must conform to side yard setback requirements. Maximum sign height: 12 feet.

(b) Free Standing Signs. There shall be no free-standing signs except where a site contains four (4) or more separate business establishments, there may be one (1) additional free standing business sign, with a maximum area of 18 square feet, announcing only the name of the complex and listing the names of the occupants therein; said allowable sign area shall be divided among the occupants by the owner of the property. Such sign shall be supported by one (1) or more columns or uprights that are firmly embedded in the ground. Where such additional sign is used, each individual occupant shall be limited to one (1) single-faced sign mounted on and facing outward from the building façade within the area limitation stated in this Section.

(c) Window Signs. One (1) placard or neon advertising sign may be located on the inside of a window of a business establishment, provided that such sign: (i) does not cover more than 30 percent of any single window, and (ii) contains replaceable exhibits which advertise merchandise, services, or special events at the establishment in which the sign is displayed.

5.9.4 Signs in Office and Research Park Zone

The following signs are permitted only in OR Zone subject to site plan approval by the Commission in accordance with Sections 4.4 and 5.2, with limitation noted:

(a) One (1) free-standing sign for each firm or corporate tenant, limited to announcing the company name, in a location shown on the site plan, not exceeding an area of 18 square feet on each of two (2) faces nor a height of ten (10) feet, in conformity with all side and rear setback requirements, and in a landscaped setting. In addition, directional signs not exceeding nine (9) square feet in area and eight (8) feet in height for each sign may be established to identify particular buildings or parking areas, as approved by the Commission.

5.9 **Signs** - continued

5.9.5 Temporary Political Preference Signs (No Permit Required)

A property owner or resident on the premises, may erect a reasonable number of temporary signs referring to a public office election or public referendum within the Town of Redding. Maximum size for said signs shall be four (4) square feet.

5.9.6 Municipal Signs

The Town of Redding may erect upon its property, or private property with the approval of the resident property owner, signs for Municipal purposes. Such signs may include such items as:

- Municipal Greeting(s);
- Location and hours of operation and location of municipal facilities and schools;
- Any badge, insignia or seal identifying any civic, charitable, religious, patriotic, fraternal or governmental agency, or similar such organizations operating within the Town and the meeting hours and/or location of such organizations;
- Hours of and location of specific, municipal periodic activities or events- posted not more than two (2) weeks prior to the date of said activity or event and removed within two (2) days after said activity or event. Such events include, but are not limited to, special recycling days, municipal elections or referendums; special Town events or parades, and similar activities.
- Directions to HMC, BC, NB and SB zones.

The Board of Selectmen shall approve any proposed sign design, shall authorize placement upon municipal property (or request and receive prior permission from any resident property owner for placement), and shall approve any content prior to its being included on the sign. The size and design of such signs shall be submitted to the Zoning Commission for review and approval prior to placement on any property. Such signs may exceed specifications provided for in Section 5.9.1 if requested by the Board of Selectmen and approved by the Zoning Commission. Such signs may be erected in any zone within the town after receiving Zoning Commission approval for each sign and its location.

This section is site specific to the Redding Community Center Athletic Field No. 2 (RCC#2): Badges or insignias can include permanent corporate logos placed horizontally within the artificial playing surface in recognition of charitable contributions to the completion of this field with independent funding.

This section also covers horizontal granite, brick, or cement markers as an onsite walkway component. The corporate logo or private donor's name will appear on these horizontal markers. These logos and donor name recognition must be unobtrusive on the surrounding area will be observable by participants and attendees at events taking place on the field, RCC#2.

5.9 **Signs** - continued

5.9.6 Municipal Signs - continued

The Board of Selectmen shall approve any proposed horizontal logo or donor design, shall authorize placement upon municipal property, and shall approve any content prior to its being included on the sign. The size and design of such signs shall be submitted to the Zoning Commission for review and approval prior to placement on this property. Such signs may exceed specifications provided in 5.9.1 if requested by the Board of Selectmen and approved by the Zoning Commission. Such specific signs may be erected anywhere on RCC#2 or its immediate surrounding area after receiving Zoning Commission approval for these horizontal markers and their location.

5.9.7 Enforcement

The Redding Zoning Enforcement Officer or other authorized zoning enforcement authority may remove any free-standing sign placed in violation of Section 5.9.1(g) located on Town property or within traffic medians or directional control islands. A Cease and Desist notice will be sent to the property address where other signs in violation of Section 5.9.1(g) are located with a request to move the sign to a conforming location. Signs so removed will be maintained at the Redding Zoning Office for one (1) week following removal. If it is possible to identify the person who may be associated with the sign, that person will be notified that the sign was removed and may be recovered at the Town Zoning Office during regular hours.

5.10 Home Enterprises

Accessory home enterprises are limited to those uses specifically authorized by Sections 4.2.2 (a) through 4.2.2 (d) inclusive. Any case in which the permissibility of a home enterprise is in doubt shall require explicit approval by the Commission.

Such uses shall be in harmony with the residential character of the community – in exterior appearance, cleanliness, quietness, and absence of any factors creating pollution or nuisance.

In addition to other requirements of these regulations (see, in particular, Sections 3.7 and 5.3), no more than one (1) accessory home enterprise shall be permitted on a site, and it shall meet the following standards:

(a) All activities shall be conducted within a single building on the site, either a portion of the principal dwelling or an accessory building;

(b) The total floor area used for the home enterprise shall not exceed an area equal to 25 percent of the floor area devoted to residential use (excluding attics, basements, garages, lofts, porches and other uninhabited spaces) in the principal dwelling;

(c) The proprietor of the home enterprise shall reside on the premises. Employment on the site shall be limited to residents of the premises and not more than three (3) non-resident employees or associates at any given time of day;

(d) Hours of operation shall be limited to the period extending from 7:00 a.m. to 8:00 p.m. on weekdays, and 9:00 a.m. to 6:00 p.m. on weekends;

(e) Materials and equipment used shall be limited to those items normally incident to residential occupancy, to office use, and to those arts, crafts and trades specifically enunciated in Section 4.2.2 (c) and (d);

(f) There shall be no sale, or display for sale, of goods not made on the premises;

(g) There shall be no outdoor storage of materials, equipment, vehicles or products in any way associated with enterprise;

(h) Traffic generation shall not exceed 20 vehicle trips per day, for traffic related to the home enterprise (see definitions, Section 8.1.275) Parking shall be provided as required by Section 5.6;

(i) No more three (3) commercial vehicles may be stored on or operated from the site of a home enterprise, and these shall be garaged at all times when on the site (see Section 3.8. and 8.1.33).

Where the particular use qualifies as a customary home occupation (see Definitions, Section 8.1.39) which employs only residents of the premises, and is confined solely to an existing dwelling, no permit shall be required. All other accessory home enterprises shall require a Certificate of Zoning Compliance as provided by Section 6.3, and a site plan approved by the Zoning Commission in the same manner as provided by Section 5.2.

5.11 Tag Sales, Auctions, and Fairs

5.11.1 – Auctions and Tag Sales

Subject to the issuance of a temporary Certificate of Zoning Compliance (see Section 6.3), the owner of any premises may conduct thereon an auction or tag sale (see definitions, Section 8.1.17 and 8.1.250) provided:

(a) No more than one (1) such event shall be held on the premises in any one (1) calendar year;

(b) Satisfactory arrangements shall be made to accommodate all traffic and parking needs;

(c) Noise from loudspeakers and other sources, if any, shall not be of such volume as to cause annoyance to nearby residents;

(d) The permitted event shall be responsibly supervised at all times;

(e) Signs shall be limited as provided in Section 5.9.2 (f).

(f) Hours of operation shall be limited to daylight hours.

(g) The duration of the event shall be limited to three (3) consecutive days.

(h) Goods sold shall be limited to second-hand household effects and other personal property, all of which have been in active use on the premises of the sale for at least six (6) months (based on an owner's affidavit filed with the Zoning Enforcement Officer).

Subject to the issuance of a temporary Certificate of Zoning Compliance, a neighborhood auction or sale of personal goods conducted jointly by not more than four (4) abutting property owners may be authorized for the premises of one of the owners, provided each participating owner:

(i) Co-signs the application, agreeing to be bound by conditions (a) through (g) above, inclusive;

(j) furnishes an affidavit attesting that all goods to be sold have been in use on that owner's premises for at least six (6) months; and

(k) voluntarily waives all rights to an individual public sale on his or her own property for the following 12 consecutive months.

5.11 <u>Tag Sales, Auctions, and Fairs</u> - continued

<u>5.11.2 Fairs</u>

Subject to a limited-duration Special Permit granted by the Zoning Commission (see Section 5.1), the owner or lessee of any premises may conduct thereon a public fair (see definitions, Section 8.1.60) in accordance with the following requirements:

(a) The restrictions stated in Section 5.11.1, (b) through (f), shall apply.

(b) Goods sold shall be limited to home-made products, farm produce, and handicrafts produced in the local community, to artwork, books, antiques and second-hand goods, to articles donated to the sponsoring organization, to food and beverages served to those attending, and raffle or sale goods from which the major proceeds directly benefit a non-profit civic, religious or service organization.

(c) Activities to be conducted as part of the fair require Commission approval. For this purpose, a complete description of planned activities, schedules, operating hours, expected attendance, traffic and parking control, noise abatement, sanitation provisions, police, fire and ambulance access, and responsible personnel shall accompany the application.

(d) The duration of the event shall not exceed five (5) consecutive days.

(e) Restrictions on site use and activities may be imposed by the Commission as necessary to insure compliance with the standards of these Regulations.

(f) A periodic public fair, approved as a limited-duration Special Permit by the Zoning Commission under the procedure outlined in this section, may subsequently be approved by the Commission upon the recommendation of the Zoning Enforcement Officer that such public fair is substantially the same as that which has been approved. The owner or lessee shall, under such circumstances, furnish to the Zoning Enforcement Officer a written statement that the public fair is substantially the same as that which has been approved.

In lieu of Sections 5.1.1 and 5.1.2, application shall consist of an accurate sketch plot plan and a letter of application providing sufficiently detailed information to satisfy the requirements of this Section and of Section 5.1.3 of the Regulations. Within its discretion, the Commission may waive the fees and public hearings Prescribed by the Regulations.

5.12 Accessory Residential Apartments

[A revision of Section 5.12 was adopted effective February 16, 2017]

Accessory apartments, where deemed permissible by the Commission, shall be designed to meet the special housing needs of resident small-household groups such as the elderly, handicapped, widowed, childless couples and civil servants.

5.12.1 – Special Permit Required

One (1) accessory residential apartment (see Definitions, Section 8.1.11) may be permitted on a lot, subject to a Special Permit granted by the Commission.

5.12.2 – Application Format and Findings

In lieu of Section 5.1.1, application shall consist of:

(a) application form and fee, as prescribed by Commission;

(b) plot plan, consistent with requirements of Section 6.2, showing the proposed apartment, water supply and septic system, parking facilities and other requirements;

(c) floor and building plan of the apartment unit, with all rooms labeled and including a calculation of total floor area;

(d) names and addresses of all current abutting property owners and

(e) any other data the Commission determines necessary for findings required herein.

Notice, public hearing and procedures shall be in accordance with Section 5.1.2.

Before granting any Special Permit for an apartment, the Commission shall find that all the requirements of this Section (5.12) and of Sections 5.1.3 (a) through 5.1.3 (f) are satisfied.

5.12.3 – General Requirements

An accessory residential apartment, whether attached or detached, shall comply with each of the following requirements:

(a) The owner of the premises shall be resident in either the accessory or principal dwelling throughout the duration of the apartment use.

(b) Gross (total) floor area of the apartment shall be not less than 300 square feet.

(c) The apartment shall contain its own kitchen (see Definitions, Section 8.1.118), its own bathroom, its own exterior entrance, and its own parking spaces (see Section 5.6).

(d) The apartment shall contain not more than one (1) bedroom or sleeping unit.

5.12 Accessory Residential Apartments

5.12.3 – General Requirements - continued

(e) Adequate heat, ventilation, fire exits, water supply and sanitary waste disposal shall be provided consistent with applicable Town and State Codes, as evidenced by the written approval of the Town's Building Officials and Sanitarian.

5.12.4 Attached Apartments

An attached residential apartment shall meet each of the following criteria:

(a) incorporated within, or structurally integrated into, a single-family dwelling in existence on the date of application;

(b) located on a conforming lot and in compliance with all setback, height and coverage limitations prescribed for the Zone in which it is located; and

(c) comprising no more than 30% of the total finished floor area of the dwelling, or 800 square feet of gross (total) floor area, whichever is less.

5.12.5 Detached Apartments

A detached residential apartment - any apartment unit not incorporated into the principal dwelling on the site - shall meet each of the following criteria:

(a) located on a conforming lot and in compliance with all setback, height and coverage limitations prescribed for the Zone in which it is located; and

(b) gross (total) floor area of the apartment shall not exceed 800 square feet.

5.13 Special Residential Complex

Within the Village Residential (RV) and Neighborhood Business (NB) Zones only, and as provided in Section 4.2.3 (e) for public housing, subject to a Special Permit granted by the Commission in accordance with Section 5.1, a special multiple unit residential complex may be established on a qualified site. Such complex may include one (1) or more residential apartments, condominiums, duplexes, single-family dwellings, town houses, special elderly housing or other residential units conforming to the standards of these regulations.

In addition to the required findings of Section 5.1 and the standards specified by Section 4.6, the following requirements shall govern any special residential complex.

5.13.1 – Site

At least 75 percent of the designated site shall be comprised openly and which is not steep slope (20 percent slopes or greater, wetland, water body or floodplain (see Definitions, Section 8.1.70, 8.1.280, 8.1.285). Where steep slope, wetland, water body or floodplain occur within a site, such land shall not be used for building or sewage disposal areas. Site layout and design require Commission approval as provided by Sections 5.1 and 5.2.

5.13.2 Water Supply and Sewage Disposal

A domestic pure water supply system, and a sanitary sewage disposal or treatment system completely in accordance with State "Class A" water standards and Town health regulations shall be professionally engineered to a capacity in excess of the peak demand of all residents of the complex. The owner or owners shall be required to file with the Town an enforceable covenant guaranteeing to properly maintain such facilities, in accordance with their engineered design, at all times and at no expense to the Town.

5.13.3 Maximum Density

There shall be not more than one (1) residential dwelling unit for each 8,000 square feet of site area, except as follows. Where residential units are specifically designed for senior residents only, and the owner covenants with the Town to limit occupancy of each residential unit to not more than two (2) persons, each of whom is 60 years of age or older, the Commission may allow such residential units at a density of one (1) unit for each 5,000 square feet of site area, provided all other standards of Section 5.13 are met.

5.13.4 Parking

Two (2) on-site parking spaces are required for each dwelling unit; except that the Commission may reduce this requirement to one and one-half (1.5) parking spaces per dwelling unit where a residential complex is restricted to senior residents only. Parking layout, design and landscaping shall fully conform to the requirements of Sections 5.6 and 5.7.

5.13.5 Utilities

Electric and telephone lines shall be installed underground, and other utility features located and screened as required for safety and protection of adjacent residential values.

5.13 Special Residential Complex - continued

5.13.6 Buildings

The location, placement and design of all buildings shall require Commission approval as provided by Section 5.2. Buildings shall comply with all structural and fire safety codes which apply. The exterior design of all buildings and structures in this class (multiple unit residential) shall be in architectural harmony with other classes of residential structure in the neighborhood, or densely screened on all sides, so as to protect adjacent property values.

5.13.7 Open Space

Not less than 65 percent of the site shall be retained in a fully landscaped, open condition (planted or naturally wooded, not paved), in accordance with landscaping details shown on the site plan approved by the Commission. At least one (1) suitable shade tree shall be provided or preserved and protected for each 2,500 square feet of site area (see Section 5.7).

5.14 Farms, Produce Stands, Animal Operations

Farming and animal husbandry are established elements in Redding's rural residential character, and therefore desirable to preserve insofar as they contribute to open space, food production and community values. Such activities, however, shall not be conducted so as to cause injury to the health, safety or property values of neighbors or the community.

5.14.1 Uses by Right (No Permission Required)

Land within all zones may be used for farming (see Definitions, Section 8.1.64), forestry (see Definitions, Section 8.1.82) and horticulture (see Definitions, Section 8.1.95). Within Residential and OR Zones the following limitations on such uses apply:

(a) Retail sale of produce shall consist only of native flowers, fruits, vegetables, herbs, plants, wine, juices, honey, maple syrup, nuts, shrubs, Christmas trees, seasonal boughs or arrangements, firewood, hay, grain and animal products raised, processed and sold on the premises by the residents of said premises. Incidental containers (bags, boxes, bottles, jugs, pots, trays, etc.) necessary for packaging of retail products may be used. For the purpose of this Section, "premises" means any land owned or leased and devoted to agricultural production by the seller of produce, who shall reside on the site of such sales.

(b) Processing for sale of produce, whether retail or wholesale, shall meet the criteria for customary home occupation (Section 8.1.39).

(c) Forestry does not include unrestricted land clearing; see Sections 5.5.1 (b) and 5.14.2.

(d) Additional limitations apply to certain uses; see Sections 5.14.2 through 5.14.6 inclusive.

5.14 Farms, Produce Stands, Animal Operations - continued

5.14.2 Uses Which Require Management Plan

Within Residential and OR Zones, the following activities require a Land Management Plan approved by the Zoning Commission, as provided in Section 5.14.3:

(a) Intensive land clearing, timber or wood harvesting operations in which more than one acre of a woodland tract is cleared in any consecutive 12-month period (see Definitions 8.1.290).

(b) Animal raising operations in which the number of animals kept in any one (1) of the following categories exceeds the limit stated for that category:

ANIMAL CATEGORY	ANIMALS PER LOT	ANIMALS PER SITE AREA
Horses, ponies, mules, donkeys, cattle, oxen	2, and	1 per each 0.8 acre
Sheep, goats, swine	5, and	1 per each 0.4 acre
Poultry (all types)	50, and	10 per each 0.2 acre

Others exceeding mature weight of 50 pounds: Permission to be determined by the Commission.

Site area refers to the total land area reserved exclusively (such as pasture, paddock, range or forage area) for each of the respective animal categories above. Animals shall be counted from six (6) months of age and older, and birds from three (3) months of age and older.

5.14.3 Land Management Plan

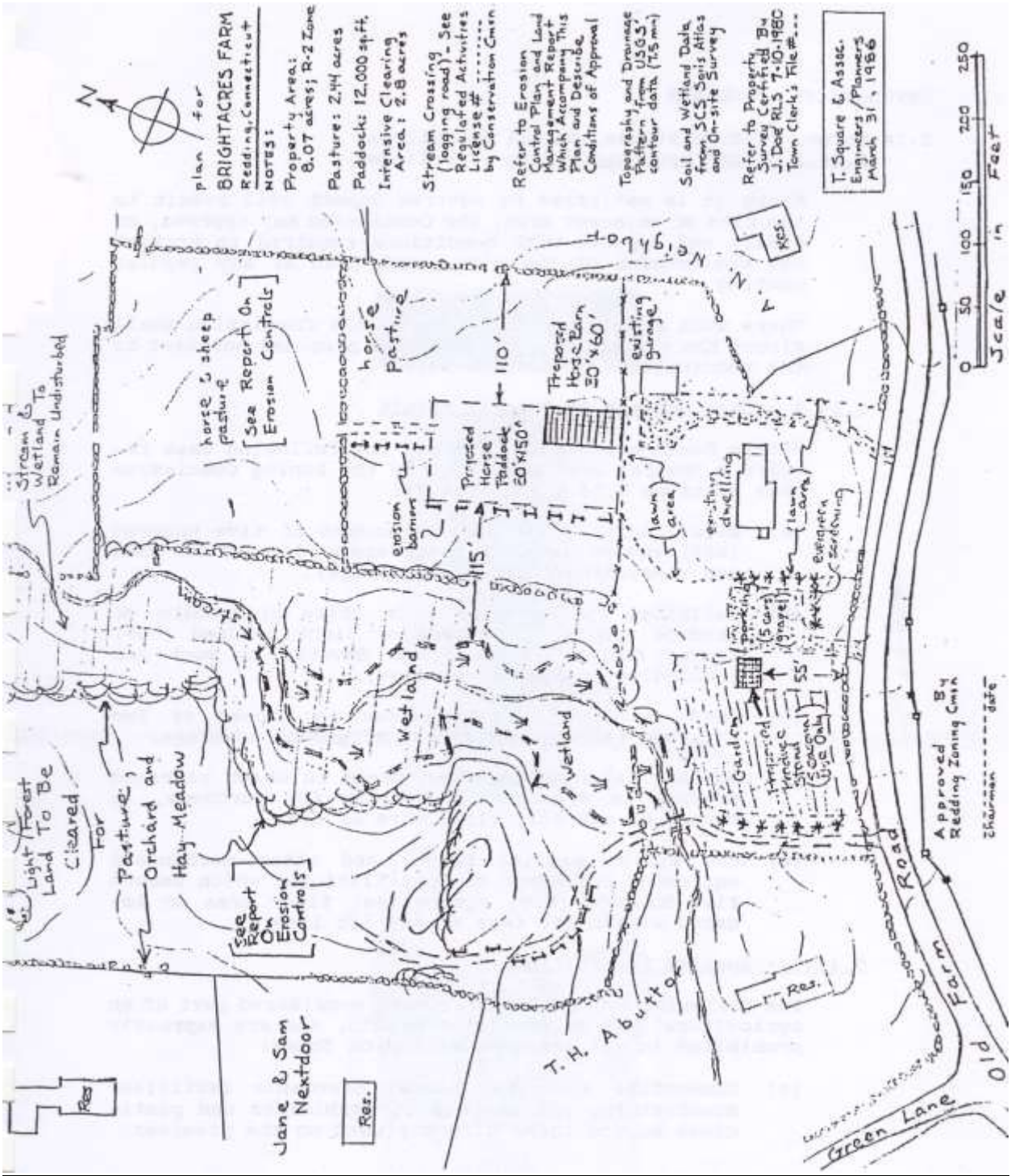
The Land Management Plan shall consist of a map of the site and its immediate environs, showing the extent of the proposed operations, approximate slopes and drainage patterns, general location of streams, wetlands, buildings, fence lines, and roadways, and shall be accompanied by a written description which explains in detail how the operations shall be conducted, parties responsible, and demonstrates that sound land management practices will be adhered to consistent with Section 5.3 hereof. A public hearing is not required; such plan may be reviewed at any Commission meeting. (See illustrative diagram on page 83).

Where it is satisfied no adverse impact will result to the site or adjacent area, the Commission may approve, or modify and approve with conditions required to protect the environment of the site, such plan at any regular meeting.

Where such finding cannot be made, the Commission shall direct the applicant to resubmit the proposal pursuant to the requirements of Section 5.14.7.

5.14 **Farms, Produce Stands, Animal Operations** - continued

Land Management Plan Illustration Diagram



5.14 Farms, Produce Stands, Animal Operations - continued

5.14.4 Uses Subject to Special Permit

Within Residential and OR Zones, the following uses require a Special Permit granted by the Zoning Commission (see Sections 5.14.6 and 5.14.7):

(a) Retail sales buildings, in excess of 500 square feet of floor space devoted to such use (including incidental storage).

(b) Buildings and operations in which processing of produce occurs, in excess of 800 square feet of floor space devoted to such use (including incidental storage).

(c) Shade houses and greenhouses in excess of 2,000 square feet of ground coverage.

(d) Outdoor sales gardens and yards in which packaged produce is arranged in display for purchase, in excess of one-half (½) acre of area.

(e) Sawmills, machine shops, and other mechanical equipment buildings or installations, which exceed 500 square feet floor area or located within 200 feet of any lot line.

5.14.5 - Special Prohibitions

The following activities may not be considered part of an agricultural use as permitted herein, and are expressly prohibited in all Residential and OR Zones:

(a) Commercial slaughter house, inorganic fertilizer manufacture, and storage of herbicides and pesticides beyond those directly used on the premises.

(b) Commercial production of animals yielding fur pelts, except rabbits.

(c) The keeping of any animals or birds in such manner that incessant annoyance is caused to a neighbor by reason of continuous odors, noise, pollution or trespass.

(d) Noise, odors, or contamination of air or water; as regulated by Section 5.3.

5.14.6 Site Requirements

All uses permitted by Sections 5.14.1 through 5.14.4 shall meet the following standards:

(a) Animal barns and pens - Barns, coops, stables, barnyards, exercise pens, riding rings, and other structures for housing or close confinement of animals or birds shall be set back at least 50 feet from all watercourses and from all side and rear lot lines; except that where a Land Management Plan is required, the Commission may require up to 100 feet of setback, or intensive screening, or both, where necessary to protect adjoining property. A "riding ring" is an open-air enclosure, smaller than one-half (½) acre in area, which contains a track or constructed path designed for exercise, training or exhibition of riding animals. Densely vegetated pasture, which if securely fenced, does not require a setback.

(b) Mechanical equipment - All fixed machinery and mechanical processing operations (where permitted), such as accessory workshops, generators, sawmills, coolers, shredders, and the like, shall have effective noise baffling and be set back at least one and one-half (1.5) times the specified building setback.

5.14 Farms, Produce Stands, Animal Operations – continued

5.14.6 Site Requirements - continued

(c) Major structures - Any barn, greenhouse, shed, structure or group of structures exceeding 2,500 square feet in gross ground coverage shall be set back at 100 feet from all side and rear lot lines, or effectively screened as required to protect adjacent properties.

(d) Produce Stands - Where allowed by Special Permit, any retail sales building, display area or vehicle parking shall be set back at least 100 feet from all side and rear lot lines, and shall be effectively screened from visibility from such lines.

(e) Manure and Pesticides - All toxic chemicals shall be stored in proper containers, undercover, as required by applicable State codes, and shall further observe setbacks from wetlands and watercourses prescribed for structures by the Town Inland/Wetland and Watercourse Regulations.

(f) Soil Erosion - Pasture, tillage, animal pens, lanes and other activity areas shall be maintained at all times in a non-eroding condition in compliance with Section 5.4.

5.14.7 - Special Permits

For those uses requiring a Special Permit (see Section 5.14.4), application (in lieu of Section 5.1.1) shall consist of:

(a) application form and fee, as prescribed by the Commission;

(b) a general site plan showing: lot lines; abutting owners and roads; watercourses; wetlands; topography at 10 feet contour intervals; existing and proposed buildings, structures, pens, storage, sales and activity areas; utility lines; waste disposal areas; screening; and requisite setback areas; limited to the immediate portion of the site proposed for development or use;

(c) names and addresses of all current property owners within 500 feet of the property; and

(d) any other data necessary for findings required herein.

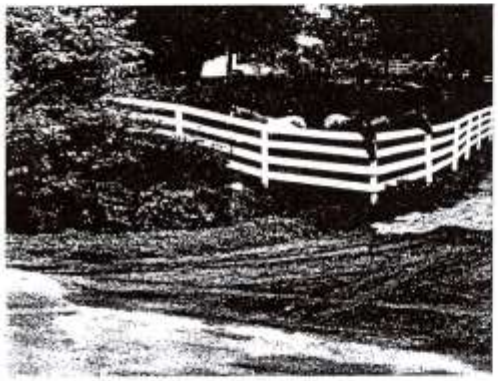
Notice, public hearing and procedures shall be in accordance with Section 5.1.2.

Before granting a Special Permit under this Section, the Commission shall find that all requirements of Sections 5.1.3 and 5.14.4 through 5.14.7 inclusive are satisfied.

"The Land The Water and Your Horse"

sition, obstruction, construction, alteration, and pollution of wetlands. **Wetlands** are defined by soil type, designated poorly drained, very poorly drained, alluvial, and flood plain by the Soil Conservation Service. The law defines **watercourses** as all rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, and bogs.

If you are having or anticipate having difficulty meeting environmental regulations, or if you have been cited for violation already, it is possible your Conservation District can help you remedy your problem or achieve regulatory compliance.



Sediment in road from unstabilized horse site.

WHY THE HORSE OWNER CARES

Close association with animals and an interdependent relationship with the land have traditionally made the horse owner an environmentally-aware person.

Good erosion and sediment control and good manure management not only comply with environmental laws, but also increase the land's value, maintain an esthetic appearance, and encourage community good will.

Regulatory compliance, prompt diagnosis, and early remedy of land problems save the later heavy expense of land reclamation.

The horse owner with plans or problems should turn first to the County Soil and Water Conservation District.

THE CONSERVATION DISTRICT

Connecticut's eight Soil and Water Conservation Districts are non-profit, quasi-govenmental agencies established by state law in 1946 to plan, coordinate, and advise on soil and water conservation efforts in the county. Such districts exist throughout the entire United States.

The District is unique in that it can serve any landowner, municipality, organization, or business requesting help in site analysis, soils interpretations, land use planning and water management. The District responds to problems associated with erosion and sediment control, drainage, and flooding.

For the horse owner, the District can

- Advise on land drainage, and ground and surface water control.
- Review site plans for environmental impact and permit requirements.
- Advise on controlling erosion from horse sites.
- Recommend acceptable manure management practices.
- Provide technical assistance from USDA Soil Conservation Service and the Connecticut Department of Environmental Protection.

Planning a manure-storage facility.

FAIRFIELD COUNTY
SOIL AND WATER CONSERVATION DISTRICT
ROUTE 6 BETHEL, CONN. 06801
(203) 743-5453

THE LAND THE WATER

AND YOUR HORSE

BIG HORSE COUNTRY

There are well over 65,000 horses in Connecticut. That's 13 per square mile, probably giving Connecticut the greatest horse density in the United States—rivaling, say some, even Virginia, Kentucky and New Jersey.

These horses are almost exclusively in pony clubs, for personal use, for competition, for show, for polo, and for breeding. The number of horses in farm use is negligible.

Best estimates give Fairfield County the greater share—perhaps over 8,000. But a town in New Haven County claims one horse for every five residents. A breeder in eastern Connecticut estimates that every Connecticut municipality, excepting cities, has at least one breeding farm. New equestrian centers are being built; others are being planned.

What all this means is that horses are a very real part of Connecticut's recreation, economy—and natural environment.

TWO ENVIRONMENTAL PROBLEMS

Because of the high density of the Connecticut horse population, two significant horse-related environmental impacts exist. They are (1) the cumulative effect of runoff from the hundreds of unmanaged manure piles, and (2) deposition of sediment into wetlands and watercourses from the erosion of paddocks, riding rings, bridle trails, parking lots, and overgrazed pastures.

HORSE WASTES

Horse wastes include manure, urine and expended bedding. While horse wastes can be disease- or organism-bearing media, most authorities don't consider the public health problem of horse wastes comparable to problems associated with human sewage.

Horse wastes, however, are **serious environmental contaminants** in that horse wastes are a source of **nutrient pollution.** Unmanaged horse wastes become a part of surface runoff. The nutrient elements in the wastes enter wetlands and watercourses; pollute ponds, lakes, and reservoirs; percolate into the water table and groundwater thereby damaging and altering the water environment by "overfertilization."

EROSION AND SEDIMENTATION

Soil scientists tell us that water action is the major erosive force in Connecticut. The resulting sedimentation is the most critical erosion problem.

Paddocks, corrals, riding rings, parking lots, bridle trails and pastures are, by the very nature of their use, continuously disturbed sites—under constant physical stress of horses' shod hooves.

The sites are not stabilized; they lack a vegetative cover to hold the soil in place. The rain and wind erode the soils. **Sediment from these sites eventually finds its way downhill and into watercourses and wetlands.**

To further understand the environmental impact of the horse site, one might compare it with a building lot in a state of construction. When land is disturbed on a construction site, developers must install and maintain erosion and sediment controls. These controls are temporary, for seeding and landscaping eventually stabilize the disturbed land.

Permanent erosion and sediment controls are most often not characteristic of land on which horses are kept. Without controls, **the horse site is a year-round source of sediment generation.**

This sediment is a pollutant. Your local wetlands agency enforces laws which prohibit or control this pollution. Additionally, the Department of Environmental Protection is frequently called in on horse-related pollution to ensure correction.

Sediment destroys a wetland's ability to function in flood control and aquifer recharge, and to provide natural habitat for wildlife.

For more information on wetlands and wetland values, consult your library, your Conservation District, or the Water Resources Unit of the Department of Environmental Protection.

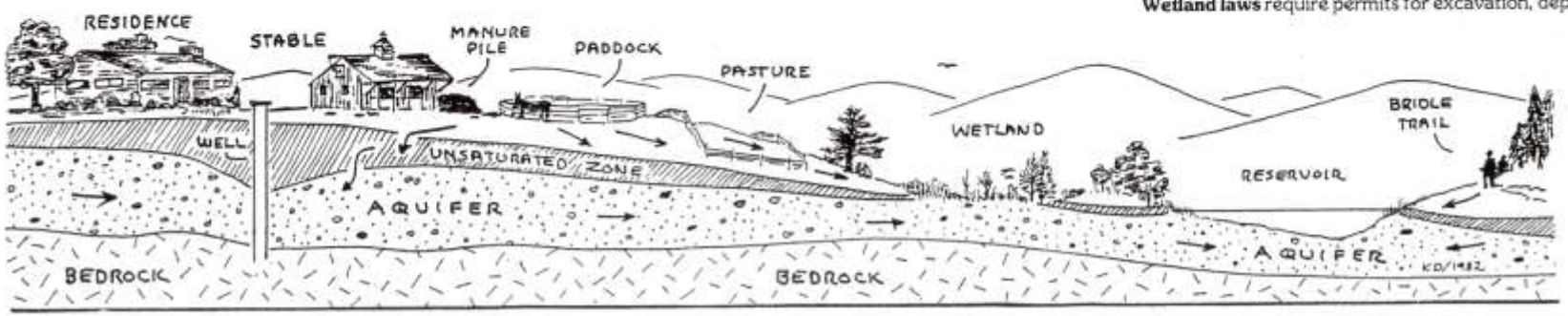
ENVIRONMENTAL LAWS AFFECTING HORSE OWNERS

Connecticut law speaks directly to environmental problems associated with horse ownership.

The **public health code,** enforceable by the local health officer, can require that manure be kept covered, stored in water-tight pits, and removed weekly during the summer. Improper manure handling legally constitutes a public nuisance.

Watershed sanitation regulations specifically prohibit stables and accumulations of animal excrement within 100 feet of the high water mark of a reservoir, or within 50 feet of the high water mark of any watercourse leading to a public water supply—including surface and groundwater sources—unless acceptable controls exist. Pollution by sediment is also prohibited.

Wetland laws require permits for excavation, depo-



5.15 Wind Energy Conversion Systems

Subject to the issuance of a Special Permit as provided by Section 5.1, a wind energy conversion systems (WECS) may be established on any site in accordance with the following restrictions (see Definitions, Section 8.1.288):

(a) No WECS may be located within 250 feet of a dwelling, electric transmission line, or any other WECS. Not more than one (1) WECS shall be established on any site.

(b) The maximum height of any supporting tower shall be 160 feet. The maximum diameter of any WECS rotor shall be 35 feet. Minimum ground clearance for the Rotor shall be 25 feet.

(c) The minimum setback of a WECS and its supporting tower (except guy wires), from all lot lines, shall be as follows (all dimensions in feet):

ROTOR DIAMETER	1-5	10	15	20	25	30	35
Required Setback	100	165	220	270	310	340	365

except that setback shall in no case be less than twice (200 percent) the height of the tower. Where the rotor diameter falls between values given above, the required setback shall be adjusted in direct proportion. Guy wires, accessory buildings and enclosing fences may, however, observe the standard setbacks prescribed by Section 4.6 hereof.

(d) The WECS, including its supporting structural or tower, all guy wires and other components parts, shall be securely anchored in firm ground in accordance with a plan designed by a registered professional engineer and certified by the engineer to be capable of withstanding wind velocities of 150 miles per hour. Actual installation of the WECS shall be supervised by a qualified professional engineer and certified safe in all aspects of construction and operation before any certificate of zoning compliance may be issued.

(e) Each WECS shall be equipped with both manual and automatic controls to prevent rotor over speed. The maximum permitted sound level, with rotor(s) operating at the peak r.p.m. speed, shall be ten (10) decibels for all octave bands at 200 feet from the tower (see Section 5.3.5).

(f) Security for the WECS shall be provided by a permanent locking-gate fence, at least six feet in height, completely enclosing the WECS structure in all accessory buildings at a distance of at least ten (10) feet from such structures. "Danger, High Voltage" signs shall be prominently posted on the fence. All guy wires shall be designed to prevent tampering and located away from traffic areas.

(g) Written evidence shall be presented at the hearing on the application, which demonstrates that the proposed WECS will fully comply with all applicable requirements of the Federal Aviation Administration, the Federal Communications Commission, and State building and electrical codes. In the event that radio or television broadcast interference results from a WECS, the WECS will be judged in violation of these regulations.

(h) Specified approval of any plan of interconnection of the WECS with a local electric utility grid, in writing from the appropriate utility, shall be submitted at the application hearing.

(i) Each WECS application shall include proof of adequate liability insurance.

5.16 Satellite Dish Antenna

A dish antenna (see Definition, Section 8.1.42) shall be considered a structure and shall require a zoning permit and compliance with all applicable building regulations. Such antenna shall also comply with all height and setback requirements specified by these Regulations for the Zone in which it is located.

If a dish antenna is free standing, it shall be effectively screened from off-premises view. The placement of the antenna, and any screening which accompanies it, shall be such that there will be no interference with required sight-lines for traffic safety, with utility lines, or with radio or television reception.

Each dish antenna shall be of a type and design which conforms to Federal Communications Commission requirements and to standards of any other regulatory agency exercising jurisdiction.

5.16.1 Ground Mounted Solar Photovoltaic System (This Section added in May 2020).

A ground mounted solar photovoltaic system (OVS) shall be considered a structure and shall require a zoning permit and compliance with all applicable building regulations. Such PVS shall also comply with all height and setback requirements specified by these regulations for the zone in which it is located. It shall be effectively screened from off-premises view. The placement of the PVS, and any screening which accompanies it, shall be such that there will be no interference with required sight-lines for traffic sagety, with utility lines, or with radio or television reception.

5.17 Nonconforming Sites and Uses

If a lot, building, structure, or use of a site was lawfully in existence on the effective date of these Regulations* (or on the date of an amendment thereto), to the extent that such lot, building, structure, or use did not then conform to these Regulations the same is deemed legally nonconforming and may be continued subject to the following provisions.

5.17.1 Nonconforming Lot

A lawfully established lot which fails to meet the minimum lot area, minimum rectangle area, minimum lot and rectangle width, or minimum lot frontage requirements of these Regulations (see Section 4.6), is a nonconforming lot.

A Zoning Permit, or a certificate of Zoning Compliance, may be issued for the use of any nonconforming lot provided:

(a) such lot has been held continuously in ownership separate from all abutting land, from November 15, 1962** (or the late date when the lot first became nonconforming) to the present, as recorded in the Town Land Records; and

(b) all other requirements of these regulations – including use, setbacks, building height and coverage, yard spaces, impervious area and other standards – are fully satisfied.

A nonconforming lot shall not be reduced in area, dimension or any other manner which would increase its nonconformity.

5.17.2 Nonconforming Buildings and Structures

A lawfully existing building or structure, which fails to meet the minimum yard, setback or parking requirements, or exceeds maximum height, coverage or impervious area limits, or otherwise fails to comply with the specified construction standards of these Regulations for the Zone in which located, is respectively a nonconforming building or a nonconforming structure.

A nonconforming building or structure shall not be enlarged or extended, except where the enlargement or extension is in full conformity with these Regulations.

Reasonable repairs and alterations, which do not increase the nonconformity of the building or structure, or of any nonconforming use therein, may be made provided such work complies with the Regulations.

*February 1, 1986
**Date this provision of Town Zoning Regulations first became effective

5.17 Nonconforming Sites and Uses -continued

5.17.3 Nonconforming Use

Any lawful use of land or lawful use of a building or structure, which use, however, does not comply with the permitted uses or permitted special uses specified by these Regulations for the Zone in which it is located, is a nonconforming use.

No nonconforming use shall be expanded or enlarged beyond the extent of building size, floor space and site area it occupied on the effective date of these Regulations, or pertinent amendments thereto.

No nonconforming use may be changed except to a use which is permitted by these Regulations for the Zone in which the use is located or to another nonconforming use less intensive in nature and more consistent with the uses permitted in the Zone in which the building, structure or site area, is located, as determined by the Commission.

5.17.4 Validation of Existing Permits

All zoning permits and Special Permits which were in effect on the effective date of these Regulations together with all requirements specified therein and all prescribed expiration dates, shall remain in full force and effect as granted.

Future permits for the same premises, however, shall conform to these Regulations.

5.18 Bed and Breakfast Establishments

"Bed and Breakfast Establishments," where deemed permissible by the Commission, shall be designed to preserve older dwellings and to provide for the adaptive reuse of such dwellings.

5.18.1 Special Permit Required

One (1) Bed and Breakfast Establishment may be permitted on a lot subject to a Special Permit granted by the Commission.

5.18.2 Application Format

In lieu of Section 5.1.1, application shall consist of:

(a) application forms and fees as prescribed by the Commission;

(b) plot plan consistent with the requirements of Section 6.2 (c) showing parking facilities, septic system, and all changes to the structure and landscaping;

(c) names and addresses of all current property owners within 500 feet of the property; and

(d) any other data the Commission determines is necessary for findings required herein.

5.18.3 General Requirements

A Bed and Breakfast Establishment shall comply with each of the following requirements:

(a) the owner of the premises shall be resident in the principal dwelling or in a conforming accessory apartment throughout the duration of the permit;

(b) the dwelling shall retain its exterior integrity, accommodate no more than five (5) guest rooms contained within the existing principal dwelling, and provide at least one (1) full bathroom accessible for each two (2) guest rooms;

(c) one (1) parking space will be provided for each guest room; parking shall be inconspicuous and non-detrimental to the character of the neighborhood in accordance with 5.6.4;

(d) one (1) identification sign is permitted indicating the name of the establishment only; the sign shall be in accordance with Section 5.9.2 (f);

(e) registered guests shall be provided continental or family style breakfasts; other meals, requested by guests, may be provided;

(f) adequate heat, ventilation, fire protection, water supply, and sanitary waste disposal shall be provided consistent with applicable Town and State codes, as evidenced by the written approval of the Town's Building Official, Sanitarian, or local Fire Marshall.

5.18.4 Duration of Permit

A Special Permit granted under this section shall be in effect for 36 months from the effective date of the Certificate of Zoning Compliance. The Special Permit may be renewed by the Zoning Enforcement Officer for a new 36 month period provided application for such is made to the Zoning Enforcement Officer at least 30 days prior to the expiration date, and inspection by the Zoning Enforcement Officer discloses satisfactory compliance with all requirements of the existing permit.

5.19 Uses Subject to Moratorium*

The Redding Zoning Commission has determined that the following uses have the potential to impair the health, safety and welfare of its citizens, and that a temporary, limited moratorium is needed in order to properly develop restrictions and standards for the implementation of these uses.

(a) Identified uses subject to moratorium

1. Medical Marijuana Dispensary Facility (see Section 8.1.141)
2. Medical Marijuana Production Facility (see Section 8.1.142)

(b) Application

No application for creation of a medical marijuana dispensary facility or medical marijuana production facility shall be accepted, nor will any such facility be permitted during the effective dates of Section 5.19 (c).

(c) Effective dates and expiration.

The effective date of the moratorium on the application or installation or creation of any medical marijuana dispensary or production facility is the date of the adoption of these regulations by the Zoning Commission together with the filing of the amendment with the Redding Town Clerk, expiring in one calendar year.

* This section originally adopted 6/25/2014, extended by one year 7/22/15

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Article VI

ADMINISTRATION AND ENFORCEMENT

6.1 Required Permission

Any new use of a site, or change in the use of existing land or buildings, requires specific permission as provided in Sections 6.2, 6.3 and 6.4. (See Definition of "Use," Section 8.1.270.)

6.2 Zoning Permit

No building or structure shall be constructed, enlarged reconstructed, demolished, moved, remodeled or converted for another use, and no land or use site shall be graded, paved or developed for use until a Zoning Permit has been issued for the project by the Zoning Enforcement Officer. (For certain exceptions allowing minor regrading, and construction under other Town permits, see Sections 5.5.1, 5.5.2.)

[demolition delay provision removed effective 3/20/14]

Application for a zoning permit shall consist of:

(a) Application form and fee, as prescribed by the Zoning Commission.

(b) One (1) copy of each of the following, where applicable:

- site plan approved by Zoning Commission (Sections 5.1, 5.2);
- subdivision plan approved by Planning Commission;
- regulated activities permit and plan approved by Conservation Commission;
- septic system permit and plan approved by Health Department or State Department of Environmental Protection;
- driveway permit approved by the Board of Selectmen; and
- license, permit or approval from any other agency with legal jurisdiction over project (such as CT Departments of Transportation and Environmental Protection).

(c) A plot plan, three (3) copies of same, drawn to a convenient decimal scale from a referenced survey map filed in the Town Land Records (or other accurate plan), showing:

- all lot lines, lease lines, easements and rights-of-way;
- adjacent roads and property owners, by name;
- zone boundary lines, flood encroachment lines, 100-year flood elevations and boundaries (if any); and regulated wetland and watercourses boundaries (if any).

6.2 **<u>Zoning Permit</u>** - continued

- lot area, width, frontage, minimum rectangle, and setbacks, as prescribed by these Regulations (Section 4.6);

- existing and proposed buildings and structures, indicating all entrances and exits, wall and eave lines, floor elevations, and adjusted land contours and elevations (based on U.S. Geological Survey or comparable datum);

- existing and proposed driveways, parking, retaining walls, and other constructed or improved site areas;

- existing and proposed utilities, including water supply wells, septic and reserve areas, electric and telephone lines, stormwater detention and drainage facilities, fuel tanks, mechanical equipment areas, site lighting and signs;

- proposed erosion and stormwater control plan, including narrative and certification text as required by Section 5.4.1;

- elevation drawings of all proposed structures, indicating use, building design, and height above finished grade;

- name of property owner and street address of site;

- north arrow, scale, date, signature and seal of preparer of plan.

Where plot plan data is adequately shown on any of the plans submitted under "(b)" above, or the Zoning Enforcement Officer, is otherwise able to determine that all requirements of the Regulations are met, the Zoning Enforcement Officer may waive the submission of particular areas of plot plan information which would be unnecessary or repetitive.

A plot plan proposing the construction of a facility in excess of 200 square feet of ground coverage shall require the seal of a registered engineer, architect or surveyor; in other instances, the Zoning Enforcement Officer may accept an uncertified drawing, accurately drawn to scale, which in his judgment adequately demonstrates the project's compliance with these Regulations.

(d) An inspection grant, in form acceptable to the Town, authorizing the Zoning Enforcement Officer and any other agent of the Town to enter the premises for inspection purposes during regular daytime hours throughout the duration of the permit.

(e) When required by the Zoning Commission (see Section 5.2.8), a performance bond in form and surety acceptable to the Town to guarantee the satisfactory condition of specified work.

At completion of the footings for any building or structure, and final construction stakes for any site work which requires specific setbacks, an accurate location survey certified by a registered surveyor shall be submitted to the Zoning Enforcement Officer to verify required locations as shown on the plot plan. Where the Zoning Enforcement Officer can determine with certainty from an identifiable reference point on a prior survey certified by a registered surveyor that the building or structure lies within required setbacks, he may waive the submission of this location survey.

6.2 <u>Zoning Permit</u> - continued

A Zoning Permit shall be valid for 12 months from its date of issuance, unless revoked for cause or replaced by a certificate of Zoning Compliance, but shall expire six (6) months from its date of issuance if no construction has commenced.

The Zoning Commission may extend a Zoning permit for one or more six (6) or 12 month periods, up to 48 months additional time, when extenuating circumstances apply or very substantial progress and good faith have been demonstrated by the applicant.

6.3 <u>Certificate of Zoning Compliance</u>

No building, structure, land or premises shall be occupied for use or converted to a new use until a Certificate of Zoning Compliance has been issued by the Zoning Enforcement Officer.

Where new facilities have been constructed under a site plan approved by the Zoning Commission (see Sections 5.1, 5.2), an "as built" plan, similar in content and scale to the original site plan but amended as necessary to indicate exact locations of all construction, shall be furnished to the Zoning Enforcement Officer at the time such certificate is requested.

Application for a Certificate of Zoning Compliance shall comprise a form and fee as prescribed by the Commission, including:

(a) all relevant site plans and plot plans; and

(b) sufficient data on the nature, size and extent of proposed uses for the Zoning Enforcement Officer to determine compliance with these Regulations.

Within fifteen (15) days of such application, the Zoning Enforcement Officer shall inspect the premises. If all requirements of these Regulations are met, including requirements of approved site and plot plans, the Certificate shall be issued within 15 days; otherwise the Certificate shall be denied for stated reasons. A new application for Certificate may be filed as soon as the causes of an earlier denial have been corrected.

A Certificate of Zoning Compliance shall remain in effect as long as the specified uses and conditional requirements are properly maintained, but shall cease whenever such conditions and uses are terminated or no longer maintained.

6.4 <u>Compliance with Regulations</u>

A permit, certificate or other authorization shall be issued only for a project which is in conformity with these Regulations (except as provided in Sections 5.17 and 6.6). In the event any permit or certificate is based on incorrect information, or the specific conditions of approval are not adhered to strictly, such permit or certificate shall be null and void.

6.5 Zoning Enforcement Officer

The Zoning Commission shall appoint a Zoning Enforcement Officer who shall act as its agent in carrying out the following duties and responsibilities, in authority delegated by the Commission:

(a) To issue or withhold zoning permits, as herein provided;

(b) To issue or withhold certificates of zoning compliance, as herein provided;

(c) To inspect all premises wherein:

1. work is proceeding under a zoning permit;

2. application is made for a certificate of zoning compliance; or

3. there is filed a complaint alleging a violation of these Regulations or of an approved permit or site plan;

(d) To enforce these Regulations uniformly, and to take remedial action in all instances wherein a violation of the Regulations or of an approved site plan or permit is found, including revocation of permits and certificates, the issuance of orders for abatement or correction, and the institution of other measures for relief as may be provided by law;

(e) To maintain a proper record of all applications, zoning permits, certificates of compliance, site plans and plot plans, complaints, violations, orders, corrections, correspondence, notices, fees levied and collected, and such other data and files as are required by the use Regulations; and

(f) To report regularly to the Commission and carry out its directives in all matters pertaining to these Regulations.

6.6 Zoning Board of Appeals

The Zoning Board of Appeals shall have the various powers and duties prescribed by the General Statutes (Refer to CT General Statutes, Sections 8-5 through 8-7b), in particular:

(a) To hear and decide appeals from enforcement orders or decisions, where it is alleged there is error; and

(b) To determine applications for variance, with respect to individual properties, provided any variance granted shall be in harmony with the general purposes and intent of these Regulations; shall protect the public health, safety, convenience, welfare and property values; shall comprise the minimum relief from the documented hardship of the applicant necessary for justice; shall not allow the creation, expansion, extension, or intensification of nonresidential uses in Residential Zones. (Refer to Connecticut General Statutes, Section 8-6)

The Zoning Board of Appeals may adopt necessary rules of procedure, schedule of fees, application requirements, and filing provisions such as are consistent with law and with these Regulations.

6.7 Interpretation of Regulations

Where doubt exists as to the meaning of any provision of these Regulations, the decision and interpretation of the Zoning Commission shall prevail.

A written record of all interpretations rendered by the Commission, or decided by the courts, shall be maintained by the Zoning Enforcement Officer to assist in the uniform application of the Regulations in future cases.

6.8 Violation and Penalties

Any person, persons, party, firm or corporation, whether property owner, lessee or tenant, who perpetrates or allows a violation of these Regulations shall be liable to the penalties prescribed by law (Refer to Connecticut General Statutes, Section 8-12), and such legal relief as may be available to the Town of Redding.

The Zoning Enforcement Officer, or in his absence the Chairman or Vice-Chairman of the Commission, shall first order the abatement or correction of such violation, allowing ten (10) days, or such other time as provided by Statute, for compliance.**

Failure to correct such violation after the specified deadline for correction shall constitute a separate offense for each day such condition persists, and legal enforcement remedies shall thereafter be pursued to completion by the Commission and the Zoning Enforcement Officer.

6.9 Separability

Should any section, subsection, clause or provision of these Regulations, as herein contained or as subsequently amended, be adjudged invalid by a court of competent jurisdiction, such decision shall not affect the validity of these Regulations as a whole or the remainder thereof.

6.10 Effective date

These Regulations, and each amendment thereto, shall take effect at the time fixed by the Commission in accordance with the provisions of the General Statutes.*

*Refer to CT General Statutes, Section 8-6
**Refer to CT General Statutes, Section 8-12

Article VII

AMENDMENTS

7.1 Amendment Procedure

These Regulations and the Zoning Map may be amended from time to time in accordance with procedures specified in the General Statutes, including a public hearing.

Applications for amendment shall be in form, with fees, as prescribed by the Commission. Each application shall set forth the proposed amendment in clear text or map, and shall be accompanied by cogent reasons which justify the requested change.

7.2 Adopted Amendments

All amendments incorporated into text at the time of this revision (August 18, 2020)

Article VIII

DEFINITIONS

Words and phrases used in these Regulations have the conventional meanings established by standard dictionaries, except as defined in the following sections. Should doubt arise as to the intended meaning of any section, the Zoning Commission shall determine the proper interpretation.

Terms are listed alphabetically. Adjectives usually precede nouns, to maintain sense of phrasing used in Regulations (e.g.: "Customary Home Occupation," "Private School"). Parenthetical references following each definition indicate sections where defined term has particular application. The numbering sequence provides gaps to allow space for insertion of future definitions.

The underlined terms shall mean as follows:

8.1.10 **Accessory Building** - A subordinate building, the use of which is auxiliary or incidental to the principal building on the same site (Sections 3.7, 4.2).

8.1.11 **Accessory Residential Apartment** - Separate living quarters for not more than one (1) household, which are equipped with a kitchen, a bath or lavatory, and space for sleeping facilities, and which are subordinate to and located on the same lot as a single-family dwelling (Section 5.12).

8.1.12 **Accessory Use** - Any use of land or buildings which is subordinate and incidental to the principal use on the same lot, and which supports or serves the principal use. Examples: parking for a retail store, tennis court for a residence, sign for a commercial establishment, office for a resident professional person. (Sections 3.7, 4.2, 4.3, 4.4, and 4.5).

8.1.13 **Affordable Housing** – A dwelling having a sales price which meets the Connecticut Housing Finance Authority Eligibility Guidelines at the time of the sale of the dwelling unit, as provided by the Connecticut General Statutes Section 8-30g, as amended.

8.1.15 **Area** - See "Lot Area," Section 8.1.131.

8.1.17 **Auction** - A public sale of goods or property, conducted for a limited duration with open bidding at a specified location (Section 5.11).

8.1.22 **Bollard** - A vertical post, of solid construction to withstand vehicular impacts, placed adjacent to parking stalls and roadways for traffic control purposes (Section 5.6.5i).

8.1.23 **Brewpub** - A full-service restaurant which includes facilities for the manufacture of beer/ale for the consumption of the customers of the restaurant.

8.1.24 **Buffer** - An intermediate area of land between two (2) or more incompatible, or dissimilar, land uses; designed to protect the more sensitive use from the effects of the other through such devices as planting, topography, and fencing (Sections 5.1.4, 5.2.2, 5.7.1, 5.7.2).

DEFINITIONS - continued

8.1.25 **Building** - Any structure which has a roof and is intended for the shelter, housing or enclosure of persons, animals or chattels (Sections 2.6, 2.8, 3.1, 3.2, 3.6, 3.7, 3.10, 3.12, 4.6, 5.1.3, 5.2.2, 5.4.5, 5.9 - 5.14, 5.17.2, 6.2, and 6.3)

8.1.27 **Building Line** - A specially adopted line, or set of lines which defines the maximum permissible extent of all buildings and structures on a horizontal plane within a lot. Such lines may be adopted by a Planning Commission, pursuant to the Connecticut General Statutes (Section 8-29), for the purpose of delineating future street, building and parking locations in accordance with a specific development plan for a neighborhood (Section 5.6.9).

8.1.29 **Bumper** - A device erected at the inner extremity of individual parking spaces, of post and beam construction, designed to withstand normal vehicular impacts (Section 5.6.5i)

8.1.30 **Christmas Trees** - See Section 5.14.1a.

8.1.33 **Commercial Vehicle** - Any vehicle that exceeds a gross vehicle weight of 10,000 pounds and/or has been externally modified for commercial use. Examples include, but are not limited to, vehicles which display business names/numbers (excluding farm names), and also have utility bodies, dump bodies, ladder racks, and the like; excluding, however, the addition of plow mounts, trailer hitches, and caps. Also included in this definition' busses, commercial aircraft, tractor trailers, and construction equipment.

8.1.35 **Commission** – The Zoning Commission of the Town of Redding, Connecticut, as duly constituted by law (Section 1.2 and throughout).

8.1.36 **Contiguous Land** – A unified tract or parcel of land, not divided by roads, rights-of-way, lot lines, lease lines or easements conveying use or development rights(Section 8.1.130).

8.1.37 **Coverage** – The extent of a developed area on a lot. Building coverage (or structure coverage) is that portion of lot area covered by buildings (or structures), usually expressed as a percent of lot area. Site coverage is that portion of lot area covered by substantial, impervious construction such as buildings, structures and paved area, usually expressed as a percent of lot area (Section 4.6).

8.1.39 **Customary Home Occupation** – An accessory use located in a dwelling or accessory building(s), in which one (1) or more of the residents of the dwelling is proprietor of an activity providing personal service or handcrafted products for monetary consideration. The home occupation must be clearly incidental to the residential use of the premises, may not alter the exterior residential appearance of the building used, and may employ such tools and equipment as are normally in domestic used in a residential household. Examples: food catering service, custom tailoring, telephone answering service, child daycare, music or art lessons, flower arranging, home-baked goods or preserves, custom dressmaking (Sections 3.7, 4.2.2, and 5.10).

8.1.41 **Depth** – See "Lot Depth," Section 8.1.132

8.1.42 **Dish Antenna** - Any device of the "dish" type, or device of equivalent shape and function, which is designed to receive microwave or satellite transmission for use by the property owner (Section 4.2.2 (1), 4.3.1(b), 4.4.2 (h), and 5.16).

DEFINITIONS - continued

8.1.44 **Driveway** - A graded and constructed access roadway situated on a lot, designed to be used as a means of vehicular access from a road to the site of a building or structure (Section 3.8).

8.1.46 **Dwelling** - A building designed or used for permanent living quarters for one (1) or more families. The following shall not be considered a dwelling: tent, camper, mobile home, motel unit. An individual dwelling unit consists of one (1) or more rooms within a dwelling, including a kitchen and a separate entrance, designed or used as a separate housekeeping facility for one household or residential tenancy (Sections 4.2, 5.6.2, 5.12, and 5.13).

8.1.47 **Dwelling, Principal** - See "Principal Use," Section 8.1.172.

8.1.48 **Dwelling, Single family** - See "Single-family Dwelling," Section 8.1.230.

8.1.50 **Easement** - A designated area of real property, to which specific legal rights have been granted by its owner for the benefit of others, together with those assigned rights. A negative easement is an easement which grants to the Town or a recognized conservation organization a perpetual right to prohibit the development thereof, for the purpose assuring the continuance of a valuable privately owned open area (Sections 3.6, and 5.2.2).

8.1.52 **Elderly or Elderly Housing** – When referring to dwelling units for the Elderly, the term Elderly shall mean people age 62 or over, or couples, one (1) of whom is over age 62.

8.1.55 **Erosion** - The processes by which water, wind and other natural forces cause the removal and redistribution of soil and other earth materials (Section 5.4, 5.14.6(f)).

8.1.60 **Fair** - An outdoor public exhibition and sale, sponsored and conducted by a local organization (primarily serving residents of Redding) for a civic or charitable purpose, subject to special limitations on duration and activities prescribed in each case by the Zoning Commission. Examples: agricultural fair, antique show, arts and crafts show, book fair, charity bazaar, church fair, field day, Firemen's carnival, flea market, musical concert (Sections 4.2.3, 5.11).

8.1.62 **Family** – One (1) or more persons occupying a single dwelling unit and living together as one (1) household, including foster children, boarders and domestic employees, of whom not more than five (5) shall be persons unrelated by blood, marriage or adoption (Sections 4.2.1,(a), 8.1.46).

8.1.64 **Farming** - The cultivation of open land for growing of crops, hay, fodder, ensilage, pasturage, orchards, gardens, nursery stock, and related agricultural production, including the incidental raising of domestic animals and the sale of agricultural products directly resulting from such cultivation, within limits prescribed by these Regulations (Sections 4.2.1, 5.14).

8.1.70 **Floodplain** – Any land area subject to intermittent flooding. An annual Floodplain is any area likely to sustain flooding at least once in a year of average rainfall (Section 5.4.5).

DEFINITIONS - continued

8.1.71 **Floodplain 100-Year** – All land area, including structures thereon, which is subject to flooding in a storm likely to occur once in 100-years. Said areas are generally described on the "Flood Insurance Rate Maps" and "Flood Insurance Study" Report prepared for the Federal Insurance Administration, on file at the Town Clerks Office and hereby incorporated by reference. Actual boundaries of 100-year Floodplain are subject to determination by accurate topographic survey in each case (Section 5.4.5).

8.1.72 **Floodway** - That portion of the 100-year floodplain, containing the stream channel and adjacent bankside areas, which is able to accommodate, within twelve inches of vertical rise, the increased height of a 100-year flood resulting from fringe-area encroachments. Said areas are generally described on the "Floodway Maps" prepared for the Federal Insurance Administration, on file at the Town Clerks office and hereby incorporated by reference (Section 5.4.5).

8.1.75 **Floor Area** - The aggregate horizontal area at floor level of all stories of a building, excluding the following features: bearing walls and columns of the building; ducts, air shafts, chimneys and the flues; elevator shafts and stairwells; the essential electrical, plumbing, heating, cooling and mechanical equipment areas where separated by partitions from other interior areas; unfinished attic and basement areas where not used for business or residential purposes; unenclosed porches, balconies and breezeways; and interior or under building motor vehicle parking areas (Sections 5.6.2, 5.6.3).

8.1.77 **Frontage** - See "Lot Frontage," Section 8.1.133.

8.1.78 **Front Lot** - Any lot which meets the minimum lot frontage prescribed by these Regulations for a "front lot," for the Zone in which it is located (Section 4.6).

8.1.79 **Front Yard** - See "Yard," Section 8.1.295.

8.1.82 **Forestry** - The cultivation and management of land for growing of trees or shrubs for lumber, timber, pulpwood, firewood, shade or ornamental tree stock, Christmas trees, watershed conservation and similar forest management purposes. Such activities do not include intensive land clearing, sawmills or processing of forest products except as provided in Section 5.14 of these Regulations (Sections 2.1, 5.14).

8.1.92 **Height of Building or Structure** - The vertical distance to the top of a building or structure, measured from the average finished grade at its base to the highest point of the roof, parapet wall, or structural member whichever is highest.

Average finished grade - shall be determined by measured finished ground elevations equally spaced (maximum ten (10) feet apart) in a continuum around the perimeter of the building or structure, and dividing their sum by the total number of such elevations (Sections 3.12, 4.6).

8.1.93 **Historic Building or Historic Structure** – A building or structure which is specifically identified on the National Register of Historic Places, or is eligible to receive such designation, or which meets the criteria for a Town Landmark under Section 5.8.1.

DEFINITIONS - continued

8.1.95 **Horticulture** - The intensive cultivation of soil for growing of flowers, vegetables, fruits, herbs, ornamental shrubs and other plants. Incidental sales of produce and plants raised entirely on the premises by the residents thereof are included subject to the limitations of Section 5.14.1. Accessory shade houses, greenhouses, and retail sales buildings are included within the use but may require a Special Permit; see Section 5.14.4.(Sections 4.2.1, 5.14).

8.1.105 **Impervious Area** – Any land or portion of the site covered by constructed features which prevent the direct percolation of surface water into the underlying earth. Examples: buildings, paved parking and roadways, masonry walls and terraces, swimming pools, sidewalks, hard surface playing courts, paved driveways. Constructed features capable of absorbing and transmitting surface water (such as lawns, gravel driveways, clay courts, natural pounds) are not considered impervious area (Sections 4.6).

8.1.108 **Inner Court** - See "Inner Courts," Section 3.11.

8.1.109 **Intensive Clearing** - the See Section 8.1.290, "Woodland Tract".

8.1.113 **Junk** - Any discarded non-biodegradable waste material which occupies an aggregate land area of 25 square feet or greater on one lot. A Junk Yard is any outdoor space, in excess of 75 square feet of area, which is used for the accumulation or storage of waste or of discarded or used materials of any kind, including unregistered and/or inoperative motor vehicles; excluding, however, brush, leaves and composted vegetable matter (Sections 3.4, 5.3.9).

8.1.116 **Kennel** - Any operation in which five (5) or more dogs, six (6) months of age or older, are raised or quartered on any premises, or in which dogs in any number are groomed, boarded or otherwise provided care or services for the benefit of dog owners not residing on the premises, whether or not a State kennel license is required.

8.1.118 **Kitchen** - A space within a building, which space is designed or arranged for the preparation of food, and which contains, at a minimum, cooking facilities, a refrigerator, and a sink (Sections 5.12.3, were 8.1.46).

8.1.120 **Landmark** - See "Landmark Defined," Section 5.8.1.

8.1.123 **Landscaping** - see "Landscape Requirements," Section 5.7.

8.1.128 **Loading Space** - See "Parking and Loading Facilities," Section 5.6.1.

8.1.130 **Lot** - A single tract of contiguous land, in one (1) ownership, with boundaries defined by a property description contained in a deed or map on file in the Town of Redding Land Records; which tract is suitable for accommodation of a building or buildings within the general requirements of these Regulations (Sections 3.6, 4.2.1, 4.6).

8.1.131 **Lot Area** - The total horizontal area enclosed within the boundaries of a lot, after deducting certain features which are not includable in determining lot area as specified by Section 3.6 (Sections 3.6, 4.6).

DEFINITIONS - continued

8.1.132 **Lot Depth** - The total horizontal distance, within any lot, between any opposite (non-intersecting) lot lines, and between any lot lines (or portions of lines) which intersect to form angles of 60 degrees or less, measured parallel to the longer sides of the minimum rectangle prescribed by these Regulations (Section 3.6).

8.1.133 **Lot Frontage** - The extent, in linear distance, of a lot along any public road, public street, or subdivision road approved by the Town Planning Commission, which road or street directly abuts the lot and provides legal access to the lot across the common boundary (Section 4.6).

A **front lot line** is any lot line which bounds the right-of-way of a public road, a private road, or an access easement serving a lot, except that where a lot has frontage less than one-half the prescribed minimum width, the front lot line shall be the boundary between the front access portion of a lot (narrow portion not included in lot area) and the remainder of the lot. Such interior front lot line shall extend along and include any intersecting boundary with those of the lot which it meets at an angle between 150 and 210 degrees.

A **side lot line** is any lot line which intersects a front lot line. A side lot line shall be considered continuous to the point where it first changes direction by 45 degrees or greater from its origin at the front lot line.

A **rear lot line** is any other lot line (Section 4.6).

8.1.138 **Lot Width** - The horizontal distance within a lot, between any opposite (non-intersecting) lot lines, and between any lot line (or portions of lines) which intersect to form angles of 60 degrees or less, measured parallel to the shorter sides of the minimum rectangle prescribed by these Regulations. Required minimum lot width (Section 4.6) is satisfied when the minimal rectangle fits completely into the lot (Sections 3.6, 4.6).

8.1.141 **Medical Marijuana Dispensary Facility** – a place of business where marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers, and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit to an applicant in accordance with Section 21a-408-14 of the Regulations of Connecticut State Agencies (adopted 6/25/14).

8.1.142 **Medical Marijuana Production Facility** – a secure, indoor facility where the production of marijuana occurs, and that is operated by a person to whom the Connecticut Department of Consumer Protection has issued a producer license in accordance with Section 21a-408-20 of the Regulations of Connecticut State Agencies (adopted 6/25/14).

8.1.140 **Maximum** – A term indicating the largest permissible size.
Examples: maximum height, maximum impervious area (Section 4.6).

8.1.145 **Minimum** - A term indicating the least permissible amount.
Examples: minimum lot area, minimum building setback (Section 4.6).

DEFINITIONS - continued

8.1.148 **Minimum Rectangle** - A geometric figure superimposed on the map of a lot, within the lot boundaries, to determine required lot width and shape; comprising any rectangle which meets the minimum area and width of the rectangle specified for the appropriate zone by Section 4.6 of these Regulations. Where an existing, nonconforming lot cannot accommodate the specified minimum rectangle, a rectangle which conforms as closely as possible to the requisite area and width shall be used (see Sections 3.6, 3.14, 4.6, 5.17.2, and 8.1.138).

8.1.155 **Nonconforming Building** - See "Nonconforming Buildings and Structures," Section 5.17.2.

8.1.156 **Nonconforming Lot** - See "Nonconforming Lot," Section 5.17.1.

8.1.157 **Nonconforming Use** - See "Nonconforming Use," Section 5.17.3.

8.1.163 **Parking Facility** - An area containing improved parking spaces, access aisles, roadways, parking facility driveways, pedestrian walkways, drainage, landscaping and related features (Section 5.6.1).

8.1.164 **Parking Facility Driveway** - The driveway providing egress and ingress from a Parking Facility to a road (Section 3.8,8.1.208).

8.1.165 **Parking Spaces** - See "Parking and Loading Facilities," Section 5.6.1.

8.1.166 **Passenger Shelter** - A structure, with or without a roof, enclosed on not more than three (3) sides, designed to provide shelter for persons while waiting for shared or scheduled transportation services (Section 3.13 (d), 4.2.3 (p)).

8.1.170 **Premises** – The lot, or parcel of land in one (1) ownership or leasehold, including all buildings thereon, which comprises the site of a particular use (Sections 4.2.2, 5.5.1, 5.6.6, 5.9, 5.10, 5.11, 5.12, 5.14).

8.1.172 **Principal Use** - The major or dominant use of a site, in terms of building space, land utilization and character of activities. A principal dwelling is the larger residence, contrasted with the smaller residence - such as an accessory apartment - on the same site (Sections 3.7, 4.2, 5.12).

8.1.174 **Private School** - An educational institution not conducted by a public school district, but certified by the State of Connecticut or a recognized schools' association, which provides a comprehensive curriculum of academic instruction similar to that of a public school. A private school may include the following: nursery school, day-care center, kindergarten, elementary school, middle school, high school, academy, preparatory school, college or university. It does not include training institutes limited to specialized vocations, such as schools for beauticians, equipment operators, secretaries, commercial artists or writers, nor does it include shelters or training programs for the mentally handicapped, emotionally disturbed, alcoholics, or drug addicts (Sections 4.2.3, 8.1.178).

DEFINITIONS - continued

8.1.176 **Professional Office** - An office conducted by a member of a recognized profession, and limited to activities customarily incidental to such professional practice. A recognized profession shall be limited to a discipline which requires extensive education, specialized training or experience, primarily mental rather than manual labor, and a form of professional accreditation. Such professions shall include only the following: academic tutor, accountant, architect, attorney, chiropractor, clergymen, consultant, dentist, designer, economist, engineer, family counselor, financial analyst, geologist, insurance broker, landscape architect, meteorologist, optometrist, physician, planner, podiatrist, psychologist, realtor, scientist, veterinary doctor (excluding animal hospital), and such other professional occupation as may be specifically determined appropriate for inclusion by the Commission (Sections 4.2.2, 4.3.1).

8.1.178 **Public School** - An educational institution conducted by a public school district, such as the Town of Redding or Regional School District No. 9 (Section 4.2.3).

8.1.180 **Public Way** - Any public street, road, boulevard, alley, lane, or highway, including those portions of any public place that have been designated for use by pedestrians, bicycles, and motor vehicles.

8.1.185 **Rear Lot** - Any lot other than the front lot (see Section 8.1.78). Each rear lot, where permitted, shall be served by an access way in the same ownership, at least 25 feet wide and extending from the street line to the buildable portion of the lot (see Section 4.6). Portions of the lot which have width less than 50 percent of the specified minimum width, however, such as the access way, may not be counted toward the minimum area (Sections 3.6, 4.6, 8.1.178, 8.1.131, 8.1.138).

8.1.186 **Rear Yard** - See "Yard," Section 8.1.295.

8.1.190 **Recreational Vehicle** - Any vehicle designed or intended primarily for use in recreational activities including airplanes, boats, boat trailers, campers, camp trailers, horse trailers, horse vans, house trailers, motor homes, snowmobiles, and utility trailers (Sections 3.8, 4.2.2).

8.1.200 **Regulations** - The "Zoning Regulations of the Town of Redding, Connecticut," as herein contained, together with the Zoning Map and all amendments to said Regulations and map as hereafter adopted (Section 1.1, and throughout).

8.1.203 **Residential** - Where used in the proper sense, "Residential" refers to any of the several Residential Zones established by these Regulations (see particularly Sections 4.1, 4.2,8 and 4.6). Where used in the general sense, "Residential" describes an environment which is desirable for dwelling purposes and in which most buildings and facilities are designed to serve residential purposes (Section 2.1 and throughout).

8.1.205 **Remainder Portion of a Lot Divided By Building Line** – That portion of a tract of land which remains in private ownership, after said tract has been divided by a Building Line pursuant to the General Statutes and Section 5.6.9 hereof, and portions of the same tract as designated on the adopted Building Lines Map for public acquisition and for special exemptions from these regulations have been excluded from said tract (Sections 4.3.3 and 5.6.9).

DEFINITIONS - continued

8.1.208 **Road** - Any avenue, highway, lane, street, or way dedicated or intended to be used for vehicular travel by the general public and for access to abutting property, excluding driveways (Section 3.5, 3.6, 5.2.2, 5.4.5, 5.5.3, 5.6, 5.7, 5.9, and 6.2).

8.1.211 **Sale** - Any conveyance of goods or services for a monetary consideration; also including the terms "sell" and "sold" (Sections 4.2 (i & j), 4.3, 5.9, 5.10, 5.11, 5.14, and 8.1.250).

8.1.212 **Satellite Parking Facility** - A secondary Parking Facility accessible only by a satellite Parking Facility Driveway (Section 5.6.1, and 8.1.213). Examples include overflow parking or staff parking.

8.1.213 **Satellite Parking Facility Driveway** - A driveway providing egress and ingress from a satellite Parking Facility to a Parking Facility. This driveway cannot connect to a road (Section 8.1.208) except through the primary Parking Facility (Section 3.8).

8.1.215 **School** - See "Public School," Section 8.1.178, and "Private School," Section 8.1.174

8.1.218 **Screening** - An installation of dense evergreen plantings, fencing or other materials designed to create a visual barrier between two dissimilar or incompatible uses (Section 5.7.1).

8.1.220 **Self-Service Storage Facility** – one or more buildings for the purpose of renting or leasing individual storage spaces to tenants who are to have access to said space for the purpose of storing and removing personal property stored therein. Such renting or leasing shall not include renting or leasing of space for outside storage; outside storage is prohibited (8.1.220 added to the regulations September 17, 2015).

8.1.221 **Setback** - The Shortest horizontal distance from a specified line (such as a lot line, street line, Zone boundary line, watercourse, easement, or curb line) to the nearest point of the building, structure, paved area, driveway, or other developed feature (Sections 3.7 – 3.9, 3.12, 4.6, 5.3.6, 5.6.4, 5.6.5, 5.9, 5.12, 5.13, and 5.14).

8.1.223 **Side Lot Line** - See "Lot Line," Section 8.1.135.

8.1.224 **Side Yard** - See "Yard," Section 8.1.295.

8.1.228 **Sign** - Any object designed for visual communication which displays a graphic message to the general public in written, pictorial, or symbolic form, or in combination of these forms. The term "Sign" includes all message displaying and advertising devices which are freestanding, building mounted, portable, vehicle mounted, wall painted, suspended from trees or structures, projected electronically or mechanically, or exhibited in the building within sixty inches of the window. When illuminated, illumination shall be of a non-flashing nature. Examples of signs include: posters, name plaques, advertising bills, traffic signs, directional signs, product symbols, commercial streamers and pennants. "Sign" does not, however, include the flag, banner, or insignia of any domestic or governmental agency, or of any civic, patriotic, charitable, religious, fraternal or similar public service organization.

DEFINITIONS - continued

8.1.230 **Single-Family Dwelling** - A detached residence designed and used for living quarters accommodating not more than one family (Sections 4.2, 5.12, 8.1.46, and 8.1.62).

8.1.235 **Soil** - The natural mineral and organic material comprising the friable surface layer of the earth; ordinarily consisting of clay, silt, sand, gravel, loam, peat, vegetative matter, stones, and boulders (Sections 2.11, 5.4, and 5.5).

8.1.238 **Street** - See "Road," Section 8.1.208.

8.1.239 **Street Line** - The boundary line of land dedicated to public use, within a street or road. Street line differs from the edge of travelway or pavement which is frequently referred to as "pavement line" or "curb line". Street line commonly coincides with front-line (Sections 8.1.135, 8.1.185, and 8.1.221).

8.1.245 **Structure** – Any construction which is erected on or attached to a fixed location on a site or building. Structures include but are not limited to: buildings, sheds, bridges, utility poles and towers, sign posts, antennas, light poles, walls and fences, swimming pools, decks, tennis courts, and enclosed terraces. Structures also include any above-ground utility or mechanical equipment installations which exceed two (2) square feet in individual site area, such as telephone booths, pad-mounted transformers, gasoline pumps, dumpsters, and vending machines. Structures do not include ground level driveway or roads, sidewalks, unenclosed terraces and underground utilities such as electric conduits, drainage and septic systems (Sections 3.1, 3.2, 3.7, 3.9, 3.10, 3.12, 4.2, 4.6, 5.1.4, 5.2.4, 5.4.5, 5.8, 5.17.2, 6.2 and 6.3).

8.1.250 **Tag Sale** - A public sale of personal goods, conducted for a limited duration by the owner of such goods at the premises where he or she currently resides. All goods sold must be from the premises of those persons conducting the sale (Section 5.11).

8.1.254 **Terrace** - A level hard-surfaced, unroofed outdoor activity area, designed to accommodate patio furniture or pedestrian use, which is constructed on graded earth with a surface of stone, brick, tile, or other paving materials (Section 3.9).

8.1.260 **Town** - The Town of Redding, Connecticut (Sections 2.2, 2.11, 4.2.3 and throughout).

8.1.270 **Use** - The specific purpose for which land, a building, a structure, or any combination thereof, is designed, intended, occupied, constructed or maintained. Examples: single-family residential, retail business, professional office. Principal Use, see Section 8.1.172; Accessories Use, see Section 8.1.12 (Section 3.1 – 3.4, 4.2 – 4.5 and throughout).

8.1.275 **Vehicle Trip** - One round trip by a single motor vehicle, either originating from or destined for the same specified location (Section 5.10).

8.1.280 **Watercourse** - Any stream, brook, river, waterway, marsh, pond, lake or similar body of water, as more particularly defined in the "Inlands/Wetlands and Watercourses Regulations of the Town of Redding, Connecticut" (Sections 2.10, 5.3.3, 5.4, 5.6.4 and 5.14.6).

DEFINITIONS - continued

8.1.285 **Wetland** - Land consisting of soils that are poorly drained, very poorly drained, alluvial, or floodplain, as more particularly defined in the "Inlands/Wetlands and Watercourses Regulations of the Town of Redding, Connecticut" (Sections 2.10, 3.6, 4.1, 5.2.2 and 5.5.1).

8.1.288 **Wind Energy Conversion System (WECS)** - A fixed location windmill, turbine, or other device equipped with moving vanes or rotors; which device is designed to convert the energy of the wind to a form of usable energy (Sections 4.2.3 (r) and 5.15).

8.1.290 **Woodland Tract** - An area of contiguous forest, woodland, or brushland in which the average caliper of trees equals or exceeds two (2) inches measured six (6) inches aboveground level, located on one or more contiguous parcels or lots held in a common ownership or leasehold. Intensive Clearing of a woodland tract means removal of 25 percent or more of all trees six (6) inches or larger in caliper, measured six (6) inches above ground level, or removal of 50 percent or more of all trees and undergrowth, measured by the boundaries of the land area disturbed by clearing, whichever applies (Section 5.5.1).

8.1.295 **Yard** - A required open space on a lot, used to determine minimum setbacks for buildings and structures (see Section 3.13, 4.6). Minimum yard (or required yard depth) and minimum setbacks are identical measurements (see Section 8.1.221).

- **Front Yard** extends inward from the front lot line to the requisite yard depth (or setback), and lies across the full breadth of a lot (see Section 8.1.135).

- The **Side Yard** extends inward from its adjacent side lot lines to the requisite yard depth (or setback), and lies between the front yard and the other side, or rear yard.

- The **Rear Yard** extends inward from all rear lot lines to the requisite yard depth (or setback), and includes all yard spaces not front or side yards. (Sections 3.9, 3.1.., 4.6, 8.1.135).

8.1.310 **Zone** - Synonymous with "Zoning District"; each of the various districts established by these Regulations for the purposes cited herein, and shown on the Zoning Map (Sections 4.1 – 4.6, and throughout).

8.1.315 **Zoning Enforcement Officer** - An official appointed by the Zoning Commission and delegated certain administrative and enforcement responsibilities under these Regulations (Section 6.5).